

CHAPTER XVI

LEGISLATIVE HISTORY OF SENATE BILL NO. 569—AN ACT TO ESTABLISH THE DEPARTMENT OF COMMERCE [AND LABOR]

[Fifty-seventh Congress.]

PART I

PROCEEDINGS IN THE SENATE

On December 4, 1901, Senator Nelson introduced in the Senate a bill (Senate No. 569) "To establish the Department of Commerce;" it was read twice and referred to the Committee on Commerce; on January 9, 1902, it was reported by Mr. Nelson, with certain amendments; January 22, 1902, the bill was ordered printed, as agreed to in Committee of the Whole, and at this period of its progress it read as follows:

A BILL to establish the Department of Commerce.

[Omit the matter in small type and insert the part printed in italics.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be at the seat of government an executive department to be known as the Department of Commerce, and a Secretary of Commerce, who shall be the head thereof, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary of eight thousand dollars per annum, and whose term and tenure office shall be like that of the heads of the other Executive Departments; and section one hundred and fifty-eight of the Revised Statutes is hereby amended to include such Department, and the provisions of title four of the Revised Statutes, including all amendments thereto, are hereby made applicable to said Department.

SEC. 2. That there shall be in said Department an Assistant Secretary of Commerce, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary of four thousand dollars a year. He shall perform such duties as shall be prescribed by the Secretary or required by law. There shall also be one chief clerk and a disbursing clerk, and such other clerical assistants as may from time to time be authorized by Congress, and the Auditor for the State and other departments shall receive all accounts accruing in or relative to the Department of Commerce and examine the same, and thereafter certify the balance and transmit the accounts, with the vouchers and certificate, to the Comptroller of the Treasury for his decision thereon.

SEC. 3. That it shall be the province and duty of said Department to foster, promote, and develop the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, the labor interests, and the transportation facilities of the United States; and to this end it shall be vested with jurisdiction and control of the departments, bureaus, offices, and branches of the public service hereinafter specified, and with such other powers and duties as may be prescribed by law.

SEC. 4. That the following-named offices, bureaus, divisions, and branches of the public service, now and heretofore under the jurisdiction of the Department of the Treasury, and all that pertains to the same, known as the Life-Saving Service, the Light-House Board, and the Light-House Service, the Marine-Hospital Service, the Steamboat-Inspection Service, the Bureau of Navigation and the United States Shipping Commissioners, the Bureau of Immigration, and the Bureau of Statistics, be, and the same hereby are, transferred from the Department of the Treasury to the Department of Commerce, *and* the same shall hereafter remain under the jurisdiction and supervision of the last-named Department; and that the Census Office, the Patent Office, and all that pertains to the same, be, and the same hereby are, transferred from the Department of the Interior to the Department of Commerce, to remain henceforth under the jurisdiction of the latter; that [the Department of Labor,^a] and the office of Commissioner of Fish and Fisheries, and all that pertains to the same, be, and the same hereby are, placed under the jurisdiction and made a part of the Department of Commerce; that the Bureau of Foreign Commerce, now in the Department of State, be, and the same hereby is, transferred to the Department of Commerce and consolidated with and made a part of the Bureau of Statistics, hereinbefore transferred from the Department of the Treasury to the Department of Commerce, and the chief of said Bureau of Foreign Commerce shall be the assistant chief of the said Bureau of Statistics; *and the two shall constitute one bureau, to be called the Bureau of Statistics, with a chief of the Bureau and one assistant* [and it shall be the duty of said Bureau, under the direction of the Secretary, in addition to the duties now prescribed by law, to gather, compile, classify, and publish statistical information showing the condition of the foreign and domestic commerce, of the mining, manufacturing, shipping, and fishery industries, and of the transportation facilities of the United States^a].

That the official records and papers now on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service in this act transferred to the Department of Commerce, together with the furniture now in use in such bureau, office, department, or branch of the public service, shall be, and hereby are, transferred to the Department of Commerce.

SEC. 5. That there shall be in the Department of Commerce a bureau to be called the Bureau of Manufactures, and a chief of said Bureau, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive a salary of three thousand dollars per annum. There shall also be in said Bureau one chief clerk and such other clerical assistants as may from time to time be authorized by Congress. It shall be the province and duty of said Bureau, under the direction of the Secretary, to foster, promote, and develop the various manufacturing industries of the United States and markets

^a Pending.

for the same at home and abroad, domestic and foreign, by gathering, compiling, publishing, and supplying all available and useful information concerning such industries and such markets, and by such other methods and means as may be prescribed by the Secretary or provided by law. And all consular officers of the United States, including consul-generals, consuls, and commercial agents, are hereby required, and it is made a part of their duty, under the direction of the Secretary of State, to gather and compile, from time to time, upon the request of the Secretary of Commerce, useful and material information and statistics in respect to the commerce, industries, and markets of the countries and places to which such consular officers are accredited, and to send, under the direction of the Secretary of State, reports quarterly, or oftener if required, of the information and statistics thus gathered and compiled, to the Secretary of the Department of Commerce.

SEC. 6. That the jurisdiction, supervision, and control now possessed and exercised by the Department of the Treasury over Chinese immigration, and over the fur-seal, salmon, and other fisheries in Alaska, be, and the same hereby is, transferred to and vested in the Department of Commerce.

SEC. 7. That the Secretary of Commerce shall annually, at the close of each fiscal year, make a report in writing to Congress, giving an account of all moneys received and disbursed by him and his Department, and describing the work done by the Department in fostering, promoting, and developing the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, and the transportation facilities of the United States, and making such recommendations as he shall deem necessary for the effective performance of the duties and purposes of the Department. He shall also, from time to time, make such special investigations and reports as he may be required to do by the President, or by either House of Congress, or which he himself may deem necessary and urgent.

SEC. 8. That the Secretary of Commerce shall have charge in the buildings or premises occupied by or appropriated to the Department of Commerce, of the library, furniture, fixtures, records, and other property pertaining to it, or hereafter acquired for use in its business; and he shall be allowed to expend for periodicals and the purposes of the library, and for the rental of appropriate quarters for the accommodation of the Department of Commerce within the District of Columbia, and for all other incidental expenses, such sums as Congress may provide from time to time: *Provided, however*, That where any office, bureau, or branch of the public service transferred to the Department of Commerce by this act is occupying rented buildings or premises it may still continue to do so until other suitable quarters are provided for its use: *And provided further*, That all officers, clerks, and employees now employed in any of the bureaus, offices, departments, or branches of the public service in this act transferred to the Department of Commerce are each and all hereby transferred to said Department at their present grades and salaries, except where otherwise provided in this act, and they shall continue in office and employment as if appointed under this act until otherwise provided by law: *And provided further*, That all laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service by this act transferred to and made a part of the Department of Commerce shall, so far as the same are not in conflict

with the provisions of this act, remain in full force and effect until otherwise provided by law.

SEC. 9. That all power and authority heretofore possessed or exercised by the head of any executive department over any bureau, office, branch, or division of the public service, by this act transferred to the Department of Commerce, or any business arising therefrom or pertaining thereto, whether of an appellate or revisory character, or otherwise, shall hereafter be vested in and exercised by the head of the said Department of Commerce. And all acts or parts of acts inconsistent with this act are, so far as so inconsistent, hereby repealed.

Sec. 10. A person, to be designated by the Secretary of State, shall be appointed to formulate under his direction, for the instruction of consular officers, the requests of the Secretary of Commerce, and to prepare from the dispatches of consular officers, for transmission to the Secretary of Commerce, such information as pertains to the work of the Department of Commerce, and such person shall have the rank and salary of a chief of bureau, and be furnished with such clerical assistance as may be deemed necessary by the Secretary of State.

SEC. [10] 11. This act shall take effect and be in force from and after its passage.

SENATE REPORT

Senate Report No. 82, on Senate bill No. 569, from the Committee on Commerce, made on January 9, 1902, is as follows:

The Committee on Commerce, to whom was referred the bill (S. 569) to establish the Department of Commerce, have had the same under consideration and beg leave to report as follows:

To fully understand and comprehend the necessity for the establishment of the Department of Commerce, it is desirable and instructive to give a brief history of the inception, growth, and jurisdiction of the several Executive Departments of the Government.

STATE DEPARTMENT

The first department established was known as the Department of Foreign Affairs, and was created by the act of July 27, 1789 (1 U. S. Stat., 28). By the act of September 15, 1789 (1 U. S. Stat., 68), the name was changed to that of Department of State. This Department was originally vested, under the direction of the President, with jurisdiction over foreign, diplomatic, and consular affairs, and was, in 1793, given jurisdiction over the matter of patents for useful inventions, which it retained until 1849, when the same was transferred to the Interior Department. It was also given supervisory and appellate jurisdiction over the acts of marshals and others in taking and returning the census of the United States, which it retained until 1849, when the same was transferred to the Interior Department.

WAR DEPARTMENT

The next department established was the War Department, created by the act of August 7, 1789 (1 U. S. Stat., 49), and was originally vested with jurisdiction, under the direction of the President, over both military and naval affairs, over land grants for military services, and over Indian affairs. Its jurisdiction over naval affairs it retained

until April 30, 1798, when the Navy Department was created; its jurisdiction over land grants was transferred to the Treasury Department in 1789 and 1796, and its jurisdiction over Indian affairs was transferred to the Interior Department in 1849. In 1833 the Department was given jurisdiction over the matter of military pensions, which it retained until 1849, when the Interior Department was established. During a part of this time the War Department and Navy Department jointly exercised jurisdiction over military and naval pensions, and it still retains the so-called Record and Pension Office.

TREASURY DEPARTMENT

The next department established was the Treasury Department, created by the act of September 2, 1789 (1 U. S. Stat., 65). It was originally vested with jurisdiction over the financial and fiscal affairs of the Government, with the collection and expenditure of the public revenue, and was also vested with jurisdiction over the sale of public lands, which it retained until the Interior Department was created in 1849.

NAVY DEPARTMENT

The next department established was the Navy Department, created by the act of April 30, 1798 (1 U. S. Stat., 553), and vested with jurisdiction over naval affairs. This Department had also for a time jurisdiction over the matter of naval pensions, until the same was transferred to the Interior Department in 1849.

INTERIOR DEPARTMENT

The Interior Department was established by the act of March 3, 1849 (9 U. S. Stat., 396). It was originally given jurisdiction over patents for inventions, over the land-office business of the Government, over Indian affairs, over pensions, over the census, over the accounts of the officers of United States courts, and over public buildings. Its jurisdiction over public buildings was abolished in 1867, and its jurisdiction over the accounts of judicial officers was transferred to the Attorney-General in 1870.

POST-OFFICE DEPARTMENT

In 1789 (1 U. S. Stat., 70) a post-office, with a Postmaster-General, was established and given jurisdiction over the postal affairs of the Government. By the acts of February 20, 1792 (1 U. S. Stat., 234), and May 8, 1794 (1 U. S. Stat., 357), a General Post-Office was established, with a Postmaster-General at the head; and finally, on June 8, 1872 (17 U. S. Stat., 283), the Post-Office Department was established as one of the Executive Departments, with jurisdiction over all the postal affairs of the Government.

THE DEPARTMENT OF JUSTICE

On September 24, 1789 (1 U. S. Stat., 93), the office of Attorney-General was created, whose duty it was to conduct all suits on behalf of the Government in the Supreme Court of the United States, and to

give advice and opinion upon questions of law when required by the President or the heads of any of the departments. By the act of June 22, 1870 (16 U. S. Stat., 162), the Department of Justice was created, with the Attorney-General at its head.

DEPARTMENT OF AGRICULTURE

By the act of May 15, 1862 (12 U. S. Stat., 387), the Department of Agriculture was created, with a Commissioner of Agriculture at the head. This was afterwards changed into an executive department, with a Secretary of Agriculture at the head, by the act of February 9, 1889 (25 U. S. Stat., 659). This Department has jurisdiction of an advisory character over the agricultural affairs of the country.

From this brief summary it will appear that the Government first started out with only three Executive Departments—namely, the State, War, and Treasury—and in connection with these departments, for administrative purposes, there was a Postmaster-General and Attorney-General, neither of whom, however, was head of an Executive Department. The executive business of the Government was conducted under these five heads until in 1798, when the Navy Department was established, which withdrew the naval affairs from the War Department. In 1849 the Interior Department was formed by absorbing the patent business from the State Department, the land-office business from the Treasury Department, Indian affairs from the War Department, pensions from the War and Navy departments, and census from the State Department.

It will be observed from the foregoing statement that the Government, in 1789, really distributed its public business among five distinct branches of the Government—practically five departments—the State, War, Treasury, Post-Office, and Department of Justice. It is true that in the last two cases—that of the Post-Office Department and the Department of Justice—they did not become full-fledged departments until a much later day, but the direction and control of the postal business was assigned to the Postmaster-General and of the judicial business to the Attorney-General as separate and distinct branches of the public service at that early day. As a matter of fact, then, there has really been only an addition of three departments—that of the Navy, Interior, and Agriculture—within a period of one hundred and twelve years. It will be observed that the Interior Department naturally and inevitably arose from an extraordinary accumulation of public business in the other departments of the Government. The two great departments of the public service (if we take into account the different classes of public business involved and the number of employees) are the Treasury and Interior departments. The business of these departments has expanded to a large and varied extent. If we look at the number of employees in the respective departments here at Washington, we find the condition to be as follows:

There are in the Department of Justice 141, Navy Department 324, State Department 95, Post-Office Department 697, Agricultural Department 804, War Department 1,787, Interior Department 4,440, and Treasury Department 4,881 employees. From these figures it appears that both the Interior and Treasury departments have each a greater number of employees than all the other departments of the Government combined.

If we look at the duties assigned to each of these several departments, we find that, outside of the Treasury and Interior departments, the other departments are mainly charged with a single class of public business—the State Department with foreign affairs, Department of Justice with judicial affairs, Navy Department with naval affairs, Post-Office Department with the postal business of the country, War Department with military affairs and the improvement of rivers and harbors, and the Agricultural Department with agricultural matters. But when we come to the Treasury and the Interior departments we find each of these departments vested with a large number of separate and distinct public duties disconnected with each other.

Take, for instance, the Interior Department: It has to-day charge of the General Land Office, Indian Office, Pension Office, Patent Office, Bureau of Education, Census Office, Commissioner of Railroads, Architect of the Capitol, Geological Survey, Government Hospital for the Insane, and the Columbia Institute for the Instruction of the Deaf and Dumb.

The Treasury Department stands charged with a still greater variety of diversified duties and subjects. It has charge of all the fiscal and monetary affairs of the Government, including the issuance and maintenance of a safe and sound currency, the collection and disbursement of the revenues of the Government, the auditing and paying of all public accounts and claims in the several departments of the Government, the public debt, and the coinage. All this business is mainly distributed in the following divisions, offices, and bureaus, to wit: .

Treasurer of the United States, Director of the Mint, Comptroller of the Currency, Bureau of Engraving and Printing, Division of Public Moneys, Division of Loans and Currency, Secret Service Division, Comptroller of the Treasury, Register of the Treasury, Auditor for the Treasury Department, Auditor for the War Department, Auditor for the Interior Department, Auditor for the Navy Department, Auditor for the State and other Departments, Auditor for the Post-Office Department, national-bank redemption agencies, Commissioner of Internal Revenue, Commissioner of Customs, and the Revenue-Cutter Service.

In addition to these offices, divisions, and bureaus, which all pertain to the financial and fiscal affairs of the Government, this Department has charge of the following bureaus, offices, and divisions of the public service:

The Supervising Architect, Bureau of Statistics, Life-Saving Service, Commissioner of Navigation, Office of Steamboat Inspection, Light-House Board and Light-House Service, Coast and Geodetic Survey, Marine-Hospital Service, and Bureau of Immigration.

It is apparent that none of these branches of the public service has any immediate or direct connection with or is germane to the principal and most important duties of the Treasury Department. This Department stands charged, chiefly and first of all, with the financial and fiscal affairs of the Government, with all that pertains to finance and revenue, and ought not to be charged with duties foreign to these subjects. These other branches of the public service, which lie outside of the subject of finance and revenue, pertain more directly to the subject of commerce, manufactures, and other industries.

It is also to be noted in this connection that in none of the departments of the Government have we any bureau or division of the public

service to which is committed the promotion of the manufacturing and mining industries of the country—two very important branches of our industrial life. In view of our great progress and development in mining and manufacturing industries, which now far exceed the ability to supply our own wants, and in view of the urgent necessity of securing more extensive markets abroad, it must be apparent to anyone who gives the subject the least thought that there is an urgent demand for the establishment of a department of the public service to have the charge of and to aid in our industrial development, and to secure us better and more extensive markets abroad.

This fact is now, and has for many years been, recognized by all the principal commercial bodies throughout the country, and there seems to be an urgent demand throughout the industrial world for such a department. Most of the other great governments of the world have a department of this kind. England has her board of trade; France, her minister of commerce and industry; The Netherlands, a minister of public works and commerce; Austria-Hungary, a minister of commerce and national industries; Italy, a minister of commerce, industry, and agriculture; Spain, a minister of commerce, agriculture, and public works; Portugal, a minister of public works and industry, and Russia has just established a ministry of commerce and industry instead of having it, as heretofore, a branch of the finance ministry. In all of these Governments the fact is recognized that a department of this kind is essential and necessary for the care, promotion, and development of commerce and manufactures. The United States, in order to be on a footing of equality and in order to be fully equipped to enter the competitive field with the strongest nations, ought to take a lesson from and be guided by these examples.

In order to make such a department useful and effective, and in order to fully equip it with all the necessary appliances to execute its great task and purpose, it ought to be vested with all branches and departments of the public service relating and germane to the subject of commerce, manufactures, and other industries.

The bill now under consideration is framed to carry out this purpose and idea. It establishes in the proposed Department a new bureau, to be known as the Bureau of Manufactures; to have charge of the manufacturing interests of the United States; to gather, compile, and publish information in respect to the same, and information in respect to securing markets for our products abroad, and to assist in developing the manufacturing industries of the United States and the markets for the same. It transfers to this new Department from the Treasury Department, the Life-Saving Service, the Light-House Service, the Marine-Hospital Service, the Steamboat-Inspection Service, the Bureau of Navigation, and the United States Shipping Commissioners, the Bureau of Immigration, the Bureau of Statistics, and the United States Coast and Geodetic Survey; and from the Interior Department the Commissioner of Railroads, the Patent Office, the Census Office, and the Geological Survey; and from the State Department the Bureau of Foreign Commerce, and consolidates that with the Bureau of Statistics, transferred from the Treasury Department.

It transfers the Geological Survey from the Interior Department to this new Department, and makes the Director of the Geological Survey the chief of a Bureau of Geological Survey and Mining, and it also transfers the Department of Labor and the Office of Commissioner of

Fish and Fisheries, neither of which belongs to any of the great Executive Departments, to the new Department. It will readily be perceived from a mere inspection that the bureaus, departments, and branches of the public service thus transferred to the new Department are all intimately connected with and directly pertain to the subject of commerce, manufactures, mining, and other industrial enterprises.

The salaries of the officers and employees of the several bureaus, departments, and branches of the public service thus transferred to the new Department remain unchanged. The bill increases the salary roll only to the extent of \$8,000 for the Secretary, \$4,000 for the Assistant Secretary, and \$3,000 for the Chief of the Bureau of Manufactures. In all, \$15,000.

In addition to this it will be necessary to make appropriation for a limited clerical force in the Bureau of Manufactures, and perhaps a few additional clerks in the Bureau of Geological Survey and Mining, and a few clerks in the Secretary's office. The aggregate increase for salaries is not likely to exceed the sum of from \$40,000 to \$50,000 a year. The expenses involved in establishing this new Department will be insignificant in comparison with the great work to be done and the great results that can be obtained.

Your committee are firmly convinced that there is an urgent demand and an urgent necessity for the establishment of this new Department, and accordingly recommend the passage of said bill, with some amendments.

DEBATE IN SENATE

The discussion in the Senate began on January 13, 1902, when Mr. Nelson moved that the Senate proceed to the consideration of the bill (S. 569) to establish the Department of Commerce, as in Committee of the Whole. This having been agreed to, Mr. Nelson said:

MR. NELSON. Mr. President, I do not intend to take up the time of the Senate in any lengthy general debate, and for that reason I have prepared a very brief statement, which I shall read to the Senate in order to save time, giving the purpose and scope of the bill.

(1) There is among our Executive Departments no department that stands charged with the care, promotion, and development of our vast commercial, manufacturing, mining, and other industrial enterprises. The agricultural interests of the country are well served and taken care of by the Agricultural Department, but the other great industries of our country, as well as our great commerce, are without any direct governmental guidance and assistance. These vast interests of our people—the great throbbings of our economic and industrial life—have no governmental head, direction, or guidance, but are left to shift for themselves without any system, harmony, or unity of action, so essential to thorough and permanent progress. Such a condition is not only hampering in dealing with ourselves, but is much more embarrassing, retarding, and injurious when we come to compete with other nations and enter the competitive field of the world's traffic and commerce. To enter the markets of foreign countries effectively and systematically we must thoroughly familiarize ourselves with the laws, trade conditions, resources, and wants of those countries. This can only be done systematically and effectively through an organ of our Government charged with such task—the gathering and dissemination of the necessary information.

This matter is now becoming more important and more urgent than ever before. Our productive capacity, pressed by an abundance of capital, labor, and raw material, far exceeds our own wants, and will so continue with increased force and persistence, so that the great problem is and will continue to be to secure and hold greater and more extensive markets abroad. To American capital, American labor, and American enterprise this is a most vital question. Without greater markets abroad industrial stagnation and congestion, superinduced by too rapid production,

are liable at any time to set in and produce a reaction that will be demoralizing, damaging, and destructive to all classes of our people, and will not only bring an economic convulsion, but will also raise serious social problems, difficult to meet and adjust. There is, therefore, from this standpoint and view, an urgent demand for a Department of Commerce, to act as an intermediary and support for the American people in meeting and solving these problems.

(2) All the other countries of the world, great and small, have, with but few exceptions, felt the need of such a governmental organ and help and have, in substance, in one form or another, such a department as is contemplated in this bill. And what other countries have felt the need and made use of we ought to avail ourselves of, too. Without the help of such Department we will not be on a footing of equality and will in many respects, as against our commercial and industrial rivals, be handicapped and at a great disadvantage.

(3) All this has been apparent for a long time to our commercial and industrial world. The boards of trade, chambers of commerce, and other similar organizations of all our larger cities and industrial centers throughout the land, east and west, north and south, with one accord, by memorial, resolution, petition, and letter, petition and ask for legislation establishing such a Department. The President of the United States has seen the necessity and demand for such a Department, and hence in his last annual message recommended the measure to Congress.

(4) There is further a cogent reason for the establishment of such department. It is this: That some of the other departments are overloaded and overburdened with work and duties foreign to their main and chief purpose and not germane to their principal functions. This is especially true of the Treasury Department. The Interior Department was established in 1849 to relieve the other departments of some of their burdens. Nearly all the business assigned to it, in the first instance, came by transfer from the other departments. It took the Patent and Census offices from the State Department, Pensions and Indian Affairs from the War Department, and the General Land Office from the Treasury Department. There is fully as much occasion and necessity now for relieving some of the other departments of their burdens as there was in 1849. There is also this further reason: That there are scattered in the various Executive Departments divisions, bureaus, and branches of the public service disconnected with and isolated from the principal functions of the department, but all connected with and relating to our commercial and industrial development. If these several divisions and branches of the public service can be grouped under one head and be made to articulate in harmony and for a common purpose and end, instead of being isolated, they will become much more useful and effective and accomplish much more good, both singly and in the aggregate.

The bill establishing the Department of Commerce makes it "the province and duty of the Department to foster, promote, and develop the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, the labor interests, and the transportation facilities of the United States." It establishes two new bureaus which do not now exist—a Bureau of Manufactures, to foster, promote, and develop the various manufacturing industries and markets for the same at home and abroad, and a Bureau of Mining, to which is attached the Geological Survey, charged with the duty of fostering, promoting, and developing our various mining industries. The bill transfers from the Treasury Department the following branches of the public service, which are not germane to and have not any direct connection with the fiscal or financial affairs of the Government—to wit, Life-Saving, Light-House, Marine-Hospital, and Steamboat-Inspection Service, Bureau of Navigation and Shipping Commissioners, Bureau of Immigration, Bureau of Statistics, and Coast and Geodetic Survey—and from the State Department the Bureau of Foreign Commerce and consolidates with the Bureau of Statistics.

All these matters pertain not to the financial or fiscal affairs of the Government, but Senators can all see that they have a direct relation to the vast shipping industries of the country. The bill transfers from the Interior Department the Commissioner of Railroads, the Census and Patent offices, and also the Geological Survey, which is attached to the new Bureau of Mining. The Department of Labor and the Commissioner of Fish and Fisheries, both outside of any Executive Department, are also transferred to the new Department.

It will be perceived by a mere inspection that the branches of the public service thus transferred to the Department of Commerce are all connected with and germane to the work and duties assigned to the new Department. By securing harmony and cooperation under one head, and by causing them to articulate together and for one great common purpose, all these branches of the public service will become more useful and effective, and in the aggregate will be able effectively to carry out and discharge the work and duties of the new Department.

While the consular service, on account of its quasi-diplomatic character, in some cases is still retained by the State Department, nevertheless all our consular representatives are, by the provisions of this bill, required, under the direction of the Secretary of Commerce, to gather and compile, from time to time, useful and material information and statistics in respect to the commerce, industries, and markets of the countries and places to which such consular officers are accredited, and to send reports quarterly, or oftener if required, of the information and statistics thus gathered and compiled to the Secretary.

The increase in salaries is moderate and quite limited—\$8,000 for the Secretary, \$4,000 for the Assistant Secretary, and \$3,000 for the Chief of the Bureau of Manufactures. The Geological Survey being transferred and united with the Bureau of Mining, and the Chief of the Geological Survey being made the head of this Bureau, no additional salary is involved. A limited clerical force will be required in the Secretary's office and in the Bureau of Manufactures, and a few additional clerks in the Bureau of Mining and Geological Survey. Outside of this there is no occasion for an increase in the clerical force, as the bureaus and divisions transferred are now all equipped with an ample clerical force. In my opinion, from \$50,000 to \$60,000 per year would fully cover all increase of salary involved in the establishment of this Department.

This Department, equipped as contemplated in this bill, will be a most potent factor in our commercial and industrial development. It will aid us in extending our commerce at home and abroad. It will aid us in securing better and greater markets for all American products abroad. It will protect our laboring men against improper immigration and bring them in closer relation and better harmony with the employers of labor. It will serve to remove the many clogs and drawbacks in our industrial development. It will breathe new life and vigor into the industrial life of the nation and do for that what the Agricultural Department is doing so well and effectively for the American farmer.

I desire to add a few words supplemental to this brief statement of the scope and merits of the bill. This measure was originally prepared in the Fifty-fifth Congress by the Senator from Maine [Mr. Frye], who so ably presides over the deliberations of this body. No action was taken on the bill at that time. In the last Congress the bill was referred to a subcommittee, of which I had the honor of being chairman. The bill was somewhat amended and reported favorably, I think, about the middle of the last session. It remained on the Calendar, and we were unable to reach it at that time. The bill is now substantially the same, with some changes in phraseology to improve its language, as that which was on the Calendar of this body during the latter half of the last session.

Mr. CLAY. Will the Senator from Minnesota permit me to ask him a question?

Mr. NELSON. Certainly.

Mr. CLAY. Is it not true that this measure came from the Committee on Commerce at the last session of Congress with a unanimous report, and that it comes from the Committee on Commerce at this session with a unanimous report?

Mr. NELSON. Certainly. I am glad the Senator from Georgia has called my attention to that fact.

Mr. CLAY. Both political parties gave the bill their unanimous support, I understand.

Mr. NELSON. At the last session the Committee on Commerce had the bill under consideration and went carefully over it, and there was a unanimous favorable report from the committee, and the same committee, with some additional and new members on it, at this session has reported it in the same manner.

Mr. BERRY. Will the Senator from Minnesota yield to me for a moment?

Mr. NELSON. Certainly.

Mr. BERRY. I desire to state that I was not present in the committee, either at the last session or at the present session, when the report was ordered. That is all I wish to say about it.

Mr. NELSON. I am not willing to take up the time of the Senate any further in debating or discussing this question. I may add, however, that I have on my desk a large bundle of letters, petitions, communications, etc., from commercial bodies, chambers of commerce, boards of trade all over this land, all earnestly favoring this measure. I am willing to answer any questions, if questions are asked, but I am not disposed further to take up the time of the Senate in debating the bill. If gentlemen would like to hear an explanation as to any particular point of the bill, I shall be very glad to explain it, if I can.

Now, Mr. President, unless there is some other disposition, the bill having once been read at length, I ask that it be read section by section for amendment.

Mr. MALLORY. Mr. President, I desire to state, in reference to the statement made

here that the bill was unanimously reported by the Committee on Commerce at this session, that I was not present at the meeting when that report was ordered to be made. I have not read the bill; in fact, I know nothing of its details, although I will state that I am disposed to favor a Department of Commerce.

Mr. TELLER. I wish to ask the Senator having the bill in charge whether he intends to press it to a vote to-day. Is that the purpose?

Mr. NELSON. Not necessarily, if there are any objections. I do not intend to force the measure at all.

Mr. TELLER. A similar bill may have been reported at the last session of Congress. If it was, nobody ever called the attention of Congress to it. I confess I never saw it. I did not know it was here. This bill has appeared on our tables in print for the first time this morning. Nobody has seen it. Nobody has had an opportunity to see it.

Mr. CULLOM. Will the Senator from Colorado allow me? I think a bill similar to this passed the Senate at the last session.

Mr. TELLER. I think not. It may be that there is necessity for this bill, but I think there is necessity for some amendments before it is passed.

Mr. SPOONER. Will the Senator from Colorado allow me to ask him a question?

Mr. TELLER. Certainly.

Mr. SPOONER. I do so because of the Senator's great familiarity with the subject, he having been Secretary of the Interior. Now that the entanglements of the Government with the Pacific railways have been eliminated, what, under the law, are the remaining functions of the Commissioner of Railroads?

Mr. TELLER. I do not think there are any. I think the office of Commissioner of Railroads could be abolished if it were not that there is a desire occasionally to put a man in office. That is all there is in it now.

I wish to ask the Senator from Minnesota, who seems to have this bill in charge, upon what theory the committee propose to transfer from the Interior Department, which has charge of all our land interests, the Geological Bureau, which deals largely with questions pertaining to mines and of late years somewhat with reference to surveys of public lands and matters that pertain particularly to such lands. I wish to know upon what theory that provision is put in. I think it is the first time it has ever been put in, although I do not know.

Mr. NELSON. No; it was in the other bill. Will the Senator allow me to make an explanation?

Mr. TELLER. That is what I want.

Mr. NELSON. I will state that the Geological Survey, with which, of course, the Senator is familiar, he having been at the head of the Interior Department, belongs to the Interior Department. The work of the Geological Survey is confined largely to exploring our mineral resources throughout the country and making reports on that subject. Now, this bill proposes to transfer the Geological Survey, just as it is, without disturbing its functions in the least, to this new Department, and couples with it a Bureau of Mining, making the present head of the Geological Survey the head of the new Bureau, termed the Bureau of Mining and Geological Survey. In addition to the duties that are now imposed upon the Geological Survey, it directs the head of it to gather, compile, and furnish all valuable, necessary, and useful information in respect to the mineral resources of the United States. It is simply cumulative, and does not in any way change the scope and purpose of the Geological Survey. It simply adds new duties and makes its head the head of the Bureau of Mining and Geological Survey.

Mr. TELLER. I should like to say that the Geological Survey has for years been doing the very things they are to do hereafter. Whether they had authority to do them or not, they have been doing them.

There is in the Land Office a mining division, which deals with legal questions that come up concerning the entry and patenting of mining claims. Do I understand that by this bill that bureau will be transferred to the Geological Survey—

Mr. NELSON. No, sir.

Mr. TELLER. Where there is not—

Mr. NELSON. Will the Senator allow me?

Mr. TELLER. I do not see why it should not be, if you are to take the mining business from the Interior Department, where it belongs, and put it in this new Department.

Mr. NELSON. I will say, if I am not interrupting the Senator from Colorado, that we do not transfer—

Mr. TELLER. No; I am not making a speech. I am trying to get information.

Mr. NELSON. We do not transfer that division of the Interior Department relating to mining to which the honorable Senator refers, because that division of the Interior Department is charged with passing upon the validity of mining claims and the

entry of mining claims, and matters of that kind. All that pertains to entries of land, whether agricultural, timber, or mineral lands, must necessarily belong to that Department, because it is an adjudicating and an appellate Department in respect to those matters. The Geological Survey, the Senator will remember, has nothing to do with passing upon the validity of mineral claims. That is foreign to its purpose. The Geological Survey is transferred and its Director is made the head of the Bureau of Mining and Geological Survey, which is simply a Bureau of an advisory character, to gather and compile and disseminate useful information in respect to the mining industries of the United States.

Now, the other branch of the service to which the honorable Senator refers, which belongs to the Interior Department—I refer to the adjudication of and passing upon mineral claims—it seems to me, and I think the Senator will agree with me, ought to be left in the Department charged with passing upon our public-land questions. That is the view I have taken of it, and if I am mistaken I shall be glad to hear from the honorable Senator from Colorado, because I remember well that for many years he was the very able and energetic head of that Department—one of the ablest men who has ever had charge of that Department with whom it has been my pleasure to do any business.

Mr. TELLER. I must, of course, be pleased with the compliment which the Senator has paid me, but I am now more interested in getting a reasonable and decent bill than I am in my fame as Secretary of the Interior.

I do not know, and I do not believe the Senator does, and I do not believe anybody else does, what jurisdiction the Geological Bureau will have or assume after they get to work under this bill. I want a little opportunity to see what this measure is going to do. The mining interests of the United States are now under the control of the Interior Department. There is no complaint anywhere, that I know of, as to the administration of affairs under the Department, except of the delay, which is occasioned by the fact that the Department have not the force they ought to have. Last year there were more mining properties entered and patented than in any other year in our history, and the number will increase every year, undoubtedly. While I have no objection to the Geological Bureau making any geological surveys and geological reports which they now make, which intimately and closely connect the discovery and exploiting of veins, etc., I do not want it to be possible that they shall be a mining bureau that can take charge in any way or manner of the work that is now being done in the Interior Department. I think this bill will need some little regulation before we get through with it.

Mr. NELSON. Will the Senator in this connection allow me to say a few words more?

Mr. TELLER. Proceed.

Mr. NELSON. I desire first to call his attention to section 6:

That the office of Director of the Geological Survey, and all that pertains to the same, is hereby transferred from the Department of the Interior to the Department of Commerce; and there is hereby established in the Department of Commerce a bureau to be known as the Bureau of Mining and Geological Survey, of which the Director of the Geological Survey shall be the head; said Bureau—

Now, here is the language to which I wish to call the attention of the Senator:

Said Bureau shall have charge of the Geological Survey, and it shall also be its province and duty to foster, promote, and develop the mining industries of the United States by gathering, compiling, and disseminating practical and useful information concerning the mineral resources and mining industries of the United States, and by such other methods as may be directed by the Secretary or prescribed by law.

Now, in this connection, permit me to call the Senator's attention to the last proviso on page 7, line 19:

And provided further, That all laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service by this act transferred to and made a part of the Department of Commerce shall, so far as the same are not in conflict with the provisions of this act, remain in full force and effect until otherwise provided by law.

Now, the jurisdiction over mineral lands and mineral entries and all that, to which the Senator refers, is not disturbed in the least bit. It leaves the Geological Survey with exactly the scope and power it has now, and then entails upon it the duty of acquiring and disseminating useful information in respect to our mineral resources. It in no wise disturbs the mineral administration of the Land Department.

Mr. TELLER. That may be true. What I wanted the Senator to tell me, which he has not told me, is upon what theory the geological work is proposed to be put in the Department of Commerce. It naturally belongs where it is.

Mr. NELSON. While this Department is termed the Department of Commerce, I will say to the honorable Senator from Colorado that in the original bill it was called the Department of Commerce and Industries.

Mr. TELLER. I think that would be a better term for it now.

Mr. NELSON. We thought at this time, comparing it with the terminology as to other departments, that it would be better to leave it with a single name. We have a Department of State, a Department of War, a Department of the Navy, a Post-Office Department, a Department of Justice, and so on, all with one single name, and so we thought, as a matter of simplicity, that it was better to have one single name in this instance and to call it the Department of Commerce.

Now, we grouped it under this head for this purpose. The mining industries of the United States are of great importance. They are perhaps next, or nearly so, to our great agricultural interests. The Senator is familiar with the work of the Geological Survey.

In addition to that, this new Department is required to gather and compile statistics and information in respect to our mineral and mining resources and to disseminate it among the public. That is the object and purpose of it, and inasmuch as that is a matter which bears upon our commercial and industrial interests, we thought it proper to group it in this Department.

I have heard no objection from any of the departments in respect to this matter. All of the heads of the different departments are familiar with this bill, and from not one head of a department am I advised, directly or indirectly, that there is any objection to the transfer of this bureau or any other bureau.

Mr. TELLER. If there is to be a mining Bureau established, and it does not do any more than the Senator says it does, it is not worth while to establish it, because that work is now being done by the Geological Bureau, and nobody is finding any fault. There has been entertained by the miners a notion that they ought to have a bureau, but this will not answer their demand by any means.

Mr. President, so far as I am concerned, I want a chance to look at this bill. I have not seen it before. It is a very important bill. It cuts into the departments that exist without, it seems to me, rhyme or reason, and it will make a Department bigger than some of the old departments are. I do not think the bill ought to be taken up at this time and in this way. As I said, the bill has been printed only this morning, and the report has just been printed. I do not ask to displace the bill, but it ought to go over by consent until some of us can have a chance to look at it.

Mr. LODGE. Mr. President, I am very strongly in favor of this bill. I believe it to be eminently desirable. I shall at the proper time offer one or two slight amendments in regard to the method of transferring the commercial statistics from the State Department to this proposed Department, and I think that the Senator in charge of the bill will have no objection to them when I present them.

It is very proper that everything which comes from our consuls relating to the statistics of commerce and conveying information as to the opportunities to develop commerce in foreign countries should fall under the new Department. But it is important to remember that the consuls also report, as it is their duty to do, a great deal of political and diplomatic information. Much of that ought not to be printed; much of it is confidential. In many places the consuls, although they are not diplomatic representatives, perform the duties of diplomatic representatives, owing, perhaps, to their distance from the center where the minister or ambassador may be or to the fact that they are representing this Government in a colony or dependency of some other power. It is therefore important, Mr. President, that before their commercial and statistical information is turned over to the Department of Commerce it should pass through the hands of a representative of the Secretary of State in the State Department.

The amendments which I propose to offer are mere matters of detail and do not affect the purpose of the bill in seeking to transfer commercial statistics from the the State Department to this new Department. I do not wish to be understood as in any sense opposing this bill. I desire merely to offer amendments which I think will improve it and make more specific the transfer that is there intended.

This, I believe, is the only work transferred from the State Department. The other transfers come from the Interior and the Treasury Departments. I believe those Departments to be now greatly overcrowded with work. A great many heterogeneous and dissimilar subjects are crowded in upon them. I believe it would make for good administration to have them systematically concentrated under one head, as proposed in this bill, and I am only sorry that, in arranging for one of the surveys to go there, the committee did not provide that all the surveys should be concentrated under one bureau of surveys, which should be in the new department or in some department, instead of having four or five or half a dozen surveys going at once at enormous expense, and not yet able to produce a good topographical map of the United States.

I think the bill might perhaps be improved in that way, but that is in the direction of extending the measure and not cutting it down. As I read the bill, I believe most of the bureaus proposed to be transferred are instrumentalities of commerce,

and I think it would make very much for good administration to bring them together under a new department, and I can not see that it would not improve both the Interior and the Treasury Departments to be somewhat relieved, for they are now very greatly overloaded with all kinds of work. But in discussing the bill it may be found better to take in some things and leave out others. I hope the Senator from Minnesota will press the bill now, while the Senate is not engaged with any other matter requiring immediate attention, for I think it would be very desirable if we could deal with it at this early day in the session.

Mr. HALE. Mr. President, the bill is certainly a great innovation and a great surprise to some Senators. I have not known what was in it or what was contemplated by it until this morning. Whether it received discussion and scrutiny in the important Committee on Commerce I do not know, but I have been told that it passed without any discussion, and that the Senator from Minnesota was directed to report it—

Mr. NELSON. Will the Senator from Maine allow me to interrupt him at this point?

Mr. HALE. Certainly.

Mr. NELSON. I will say that this same bill, or substantially the same bill, with the exception of a few verbal changes, was brought up before the Committee on Commerce at the last session and fully considered by everybody present. There was quite a comprehensive and lengthy report, which was read at length, and, barring one or two members who were absent, every member of the committee fully understood it. It was fully debated, and, so far as I know, the committee are unanimous.

Mr. CULLOM. May I interrupt the Senator from Minnesota for a moment?

Mr. NELSON. Yes, sir; but I am speaking in the time of the Senator from Maine.

Mr. CULLOM. Will the Senator from Maine allow me to make a remark?

Mr. HALE. Certainly.

Mr. CULLOM. I stated a while ago that I understood a similar bill had passed this body at the last session. I find I was mistaken in that statement. It was not passed at the last session or at any other session, but I remembered distinctly that such a bill was reported by the Senator from Minnesota either at the last session or the one before, and at that time there seemed to be no opposition to it. I failed to remember the fact that it was not actually passed. I thought it went through the Senate and was sent to the other House, but I find I was mistaken. I desired merely to state this fact.

Mr. NELSON. Will the Senator from Maine allow me to make a suggestion?

Mr. HALE. Certainly.

Mr. NELSON. I have no disposition to hurry this matter, and I suggest to the Senator from Maine and the Senator from Colorado that we let the bill go over and take it up to-morrow at the close of the morning business. Can we agree to that?

Mr. HALE. The Senator from Illinois [Mr. Mason] has given notice that he will address the Senate, or seek to do so, to-morrow after the close of morning business, upon a subject which will give rise to extended controversy, and that will have precedence. I should not want, for one, to agree—

Mr. NELSON. Very well; I overlooked that fact. Then I would suggest Wednesday, at the close of the morning business.

Mr. JONES, of Arkansas. Will the Senator allow me to suggest that the limited number of Senators present ought not to undertake to determine what the Senate will do on Wednesday. The Senator from Minnesota can move to take up his bill whenever he pleases, after the morning business is disposed of, and there is no doubt the Senate will go ahead with it; but there ought not to be any attempt to secure unanimous consent for a proposition of that sort, in view of the limited number of Senators now present.

Mr. NELSON. I ask unanimous consent—I think there will be no objection—that this bill may remain as the unfinished business.

Mr. HALE. It is the unfinished business.

Mr. NELSON. I ask unanimous consent that it remain as the unfinished business.

Mr. HALE. The Senator does not need to do that.

Mr. TELLER. It will remain the unfinished business unless displaced.

Mr. JONES, of Arkansas. No; it is not the unfinished business.

Mr. HALE. It has been taken up by a vote of the Senate, and is the unfinished business.

Mr. JONES, of Arkansas. No, sir; it is not the unfinished business. When there is an unfinished business, it is taken up at 2 o'clock, having been under consideration when, on a previous day, the Senate adjourned. But when measures which are taken up in the morning hour are not concluded they return to the Calendar, and they have no right other than that growing out of their position on the Calendar.

Mr. HALE. The Senator from Arkansas is correct, as this bill was taken up in the morning hour.

I think the Senator in charge of the bill, as it is a matter which he knows to be of the greatest importance and some of us have had no time to consider it, had better let the bill go over, and then use his own discretion as to when he will move to take it up again. The Senate can be trusted with that. He can get the bill up when he moves to take it up, but I do not think the Senator will want to estop any Senators who desire to discuss the bill fully.

Mr. NELSON. Not at all.

Mr. HALE. Of course, he would not make progress with his bill by pursuing such a course. Therefore I suggest to the Senator that it go over now, and then the Senator can exercise his discretion in calling it up again.

Mr. NELSON. Very well. I have no disposition to make undue haste; I am quite willing to have the measure fully considered.

The PRESIDING OFFICER. The bill will retain its place on the Calendar.

Mr. NELSON. Let it retain its place.

Mr. HALE. Yes.

The debate was again taken up in the Senate on January 16, 1902, as follows:

Mr. NELSON. I ask unanimous consent for the present consideration of Senate bill 569, to establish the Department of Commerce.

The PRESIDENT pro tempore. The Senator from Minnesota asks unanimous consent that the Senate proceed to the consideration of the bill (S. 569) to establish the Department of Commerce. Is there objection? The Chair hears none, and the bill is before the Senate, as in Committee of the Whole, under Rule VIII.

Mr. NELSON. I ask unanimous consent that the bill be considered without reference to Rule VIII, so as not to limit debate.

The PRESIDENT pro tempore. The Senator from Minnesota asks unanimous consent that the further consideration of this bill be had without the limitation of debate contained in Rule VIII.

Mr. NELSON. And without any other limitation of the rule.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. NELSON. I now ask that the bill be read for amendment. It has already been read at length.

The PRESIDENT pro tempore. There is one committee amendment, and that has not yet been stated.

Mr. NELSON. The Senate has not yet acted on any amendment. There is one committee amendment, and after that is acted upon there will probably be two or three other amendments offered.

The PRESIDENT pro tempore. The amendment reported by the Committee on Commerce will be stated.

The SECRETARY. The Committee on Commerce reported an amendment to the bill, to insert as a new section the following:

SEC. 10. That all power and authority heretofore possessed or exercised by the head of any Executive Department over any bureau, office, branch, or division of the public service, by this act transferred to the Department of Commerce, or any business arising therefrom or pertaining thereto, whether of an appellate or revisory character, or otherwise, shall hereafter be vested in and exercised by the head of the said Department of Commerce. And all acts or parts of acts inconsistent with this act are, so far as so inconsistent, hereby repealed.

The amendment was agreed to.

Mr. NELSON. In line 8 on page 2, section 2, after the words "chief clerk," I move to insert the words "and a disbursing clerk;" so as to read:

There shall also be one chief clerk and a disbursing clerk and such other clerical assistants as may from time to time be authorized by Congress.

The amendment was agreed to.

Mr. NELSON. I now offer an amendment to come in at the end of line 10 of the same section. The object of this amendment is to have the Auditor of the State and other Departments audit the accounts of the new department as he does those of the other departments. This is in the language of the law in respect to the other departments.

The PRESIDENT pro tempore. The proposed amendment will be stated.

The SECRETARY. At the end of section 2, on page 2, line 10, after the word "Congress," it is proposed to insert:

And the Auditor of the State and other Departments shall receive all accounts accruing in or relative to the Department of Commerce and examine the same, and thereafter certify the balance and transmit the amounts of the vouchers and certificates to the Comptroller of the Treasury for his decision thereon.

The amendment was agreed to.

Mr. NELSON. On page 3, section 4, line 7, after the words "and that," I move to strike out the words "the office of Commissioner of Railroads."

I desire to explain that amendment to the Senate. When this bill was originally prepared at the last Congress the office of Commissioner of Railroads was an existing office. It had escaped my attention that in an appropriation bill at the last Congress provision was made for abolishing the office, and the office of Commissioner of Railroads was abolished, to take effect on the 30th of June last. So there is no longer such an office.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Minnesota will be stated.

The SECRETARY. On page 3, section 4, line 7, after the words "and that," it is proposed to strike out "the office of Commissioner of Railroads."

The amendment was agreed to.

Mr. LODGE. I desire to offer an amendment, which I shall explain, as well as one or two subsequent minor amendments, which I am going to offer in a moment. On page 4, section 4, line 6, I move to strike out the first word, "relating," and insert "pertaining exclusively."

Under the clause, as now broadly drawn, all the archives of the Consular Bureau in the State Department, covering a great deal of diplomatic correspondence, would be transferred to this new department. I know that such is not the intention of the bill, and I therefore suggest the change, striking out the word "relating," and inserting the words "pertaining exclusively," so as to confine the transference of the archives from the Consular Bureau to those which relate to commerce and statistics.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Massachusetts [Mr. Lodge] will be stated.

The SECRETARY. On page 4, section 4, at the beginning of line 6, it is proposed to strike out the word "relating," and to insert the words "pertaining exclusively," so as to read:

That the official records and papers now on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service in this act transferred to the Department of Commerce, together with the furniture now in use in such bureau, office, department, or branch of the public service, shall be, and hereby is, transferred to the Department of Commerce.

Mr. NELSON. I can see no objection to that amendment.

The amendment was agreed to.

Mr. LODGE. I suggest in line 10, in the same clause, after the word "hereby," to strike out the word "is" and to insert the word "are;" so as to read, "and hereby are, transferred to the Department of Commerce."

The amendment was agreed to.

Mr. LODGE. On page 5, I desire to offer two or three small amendments, all of which have a common purpose, and that purpose is to leave it within the control of the State Department to separate in the consular correspondence those portions which are diplomatic and political from those which are commercial, so that the commercial part may all be transferred to the Department of Commerce, but that anything diplomatic or political shall be retained in the State Department. That work, of course, must be done in that Department, in my opinion.

I shall offer a further amendment at the end of the bill, providing for an officer in the State Department to take charge of that specific work, which, of course, has hitherto been performed by the Bureau of Foreign Commerce, which it is now proposed to transfer to the new Department.

In line 6, section 5, page 5, after the words "Secretary of," I move to strike out "commerce" and insert "State," so that the consuls, etc., shall act under the direction of the Secretary of State. It seems to me it is improper for them to have two masters.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. On page 5, section 5, line 6, after the words "Secretary of," it is proposed to strike out "commerce" and insert "State;" so as to read:

And all consular officers of the United States, including consul-generals, consuls, and commercial agents, are hereby required, and it is made a part of their duty, under the direction of the Secretary of State, to gather and compile, from time to time, useful and material information and statistics in respect to the commerce, industries, and markets of the countries and places to which such consular officers are accredited.

Mr. NELSON. There is no objection to the amendment.

The amendment was agreed to.

Mr. LODGE. In the same section, on page 5, line 7, after the word "time," I move to insert "upon the request of the Secretary of Commerce;" so as to read:

To gather and compile, from time to time, upon the request of the Secretary of Commerce, useful and material information, etc.

The amendment was agreed to.

Mr. LODGE. In the same section, on page 5, line 10, after the words "to send," I move to insert "under the direction of the Secretary of State;" so as to read:

To send, under the direction of the Secretary of State, reports quarterly, or oftener if required, etc.

The amendment was agreed to.

Mr. LODGE. I now offer as a new section, to come in at the end of the bill, an amendment providing for the appointment of an officer in the State Department, whom I have already described, to go over these reports and separate the portions which are to go to the Department of Commerce.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to insert as a new section the following:

SEC. 11. A person to be designated by the Secretary of State shall be appointed to formulate for the instruction of consular officers the requests of the Secretary of Commerce, and to prepare from the dispatches of consular officers, for transmission to the Secretary of Commerce, such information as pertains to the work of the Department of Commerce, and such person shall have the rank and salary of a chief of bureau and be furnished with such clerical assistance as may be deemed necessary by the Secretary of State.

Mr. BACON. Mr. President, I should like to inquire of the Senator from Massachusetts whether the powers therein conferred upon this new officer in any manner differ from the powers now enjoyed by the officer whom it is sought to replace?

Mr. LODGE. The whole Bureau of Foreign Commerce in the State Department, which has now charge of the consular reports, is by this bill transferred to the Department of Commerce.

Mr. BACON. I so understand.

Mr. LODGE. And the Secretary of State, as I understand, needs somebody to do the work which the bill imposes on his Department; that is, to go over all these consular reports, separate the commercial part and send it to the new Department, and also to transmit to the consuls their instructions, the object being to retain the work of editing the consular reports in the State Department, which I think is very essential, because that is the diplomatic and political Department.

Mr. BACON. I quite agree with the Senator, and I quite understood from what he had previously stated what he now says; but that does not reply to the inquiry which I made, which was whether the numerous powers and duties in the amendment offered by the Senator, which are to be enjoyed by the new officer created by the amendment, in any manner differ from the powers and privileges now enjoyed by the officer who is to be transferred to the Department of Commerce. What I desire to know is, whether this amendment clothes the new officer of the Department of Commerce with the same powers which the officer now in charge of that Bureau in the State Department has.

Mr. LODGE. That, I understand, is the purpose and object of the amendment. Of course, the work now is all done in the State Department, and, as I understand it, the head of the Bureau of Foreign Commerce, under the direction of one of the assistant secretaries, edits these reports for publication. The commercial portions are all published by the Department. Those portions which it is considered inadvisable to publish are held in manuscript in the Department. The officer who does that, if I am correctly informed, is to be transferred to the Department of Commerce, where he will be simply a compiler of statistics, and the duties in the way of editing and separating the political and diplomatic information require a new officer for their performance in the State Department.

Mr. BACON. I certainly am extremely unfortunate that I can not express myself in such a manner that the Senator will catch the purport of my inquiry. It is my fault, I suppose.

Mr. LODGE. I beg the Senator's pardon. It is my slowness of apprehension, I have no doubt.

Mr. BACON. Taking all the fault to myself, I will repeat the inquiry. It is not as to the necessity for this new officer. I did not ask that. I recognize that from what the Senator has stated. But the amendment offered by the Senator confers certain powers on and enumerates certain duties of the new officer. The inquiry I make of the Senator is this: Are those duties and those powers the same as the duties and the powers of the chief of this Bureau which is to be transferred to the new Depart-

ment, or does this amendment confer upon the new officer other duties and other powers, which the present officer does not enjoy?

Mr. LODGE. I understand that all those powers are now existent in the officer of the State Department.

Mr. BACON. One other question, Mr. President. Though I think that ought to be carefully looked into, I think the Senator ought to be able to state definitely whether it is so—

Mr. LODGE. If the Senator wants me to put the language more strongly, I will say I know that to be the case.

Mr. BACON. That is entirely satisfactory.

Mr. LODGE. Except, of course, it is modified, as the Senator understands, by the fact that these statistics are to go to the new Department instead of being published by the old one.

Mr. BACON. I understand, but one other inquiry. Of course we have not the amendment before us, and can only catch it from the reading at the desk. Does this amendment confer any rank upon the new officer other than that enjoyed by the present officer?

Mr. LODGE. It makes him the chief of a bureau.

Mr. BACON. What is the position of the present officer?

Mr. LODGE. The present officer is the chief of a bureau, who, of course, acts under the direction of one of the Assistant Secretaries of State.

Mr. BACON. As this one will also?

Mr. LODGE. As this one will also.

Mr. SPOONER. I should like to have the amendment again read.

The PRESIDENT *pro tempore*. The amendment will be again stated.

The SECRETARY. It is proposed to insert as a new section the following:

SEC. 11. A person to be designated by the Secretary of State shall be appointed to formulate for the instruction of consular officers the requests of the Secretary of Commerce and to prepare from the dispatches of consular officers, for transmission to the Secretary of Commerce, such information as pertains to the work of the Department of Commerce, and such person shall have the rank and salary of a Chief of Bureau and be furnished with such clerical assistance as may be deemed necessary by the Secretary of State.

Mr. HALE. Mr. President, somewhere in the bill that I saw as originally reported was a provision that our consuls at foreign ports should report to the Secretary of this new Department.

Mr. SPOONER. That is on page 5.

Mr. HALE. That seemed to me to be faulty. Now, if the object of the Senator from Massachusetts [Mr. Lodge] is to cure that defect, he has in view precisely what I had, as to which I had proposed to offer an amendment—that instead of the consular officers, who are officers of the State Department and appointed by the State Department, as they ought to be, and reporting to the State Department, as it seems to me they ought to do, the provision originally, as I understood it, was that they should have a divided allegiance and report directly to another Department, which seemed to me not a good thing to do. As I understand this amendment, instead of that the Senator proposes that this information shall be gathered by the consuls as now and reported to the State Department as now, and that the Secretary of State shall then, in some way that is prescribed, communicate this information, these facts, and these statistics for the information of the new Secretary. Is that the purpose?

Mr. LODGE. That is my purpose. I think perhaps the Senator from Maine was not here when certain amendments of mine on page 5 were adopted, to which this amendment is supplementary.

Mr. HALE. No, I was not here. What is that amendment on page 5?

Mr. LODGE. On page 5 the bill has been so amended as to read:

And all consular officers of the United States, including consul-generals, consuls, and commercial agents, are hereby required, and it is made a part of their duty, under the direction of the Secretary of State—

Mr. HALE. That is the provision to which I allude.

Mr. LODGE. The Senate has stricken out the word "commerce" and inserted the word "State," so as to read: "Secretary of State." I am reading the provision as it has been amended.

Mr. HALE. That is proper.

Mr. LODGE. The clause continues—

to gather and compile, from time to time, upon the request of the Secretary of Commerce, useful and material information and statistics in respect to the commerce, industries, and markets of the countries and places to which such consular officers are accredited, and to send, under direction of the Secretary of State, reports quarterly, or oftener if required, of the information and statistics thus gathered and compiled, to the Secretary of the Department of Commerce.

So that it relieves them from two masters.

Mr. HALE. And does not in any way impair or undermine either the duties or dignities of the office of Secretary of State?

Mr. LODGE. Certainly not.

Mr. HALE. I think that ought not to be done.

Mr. LODGE. It leaves him entirely in control of the consular service, as he ought to be, and authorizes the Secretary of the new Department of Commerce to say: "I want such and such information," and then the Department of State transmits it to the Department of Commerce. This is to permit an officer to do the work of editing and separating the consular reports.

Mr. HALE. I think, then, the bill has been very greatly improved. The State Department has not much real business to do, except in relation to the consular service. The diplomatic part—the part that is performed by ambassadors, ministers, and ministers resident—is more a matter of negotiation, which is ordinarily done outside of these offices; but the time when the State Department touches real business, the transaction of business of commerce in relation to which our citizens abroad have any interest, all comes under the consular service, and it is about all, as I have said, of real business that there is in the State Department. I should not, for one, be willing to consent that the duties of the Secretary of State or his responsibilities or his dignity should be impaired, and I was proposing to offer a similar amendment, which the Senator has done in much better form than I could have done it. To that extent I think it improves the bill.

Of course, Mr. President, the bill is what I would call a very great enterprise very suddenly launched upon us. That makes a larger department than any one left in the Government. If I may be permitted to say it, it does not begin in a modest way, but it ransacks all the departments, selects bureau after bureau without apparent reason, dumps them into this bill, and makes a new Department and a new Secretary, with larger duties than any other Cabinet minister.

The administrative duties of the Secretary of the Treasury, after his Department has been stripped and ransacked will not be as great as those of this new Secretary. He takes charge of these great bureaus that have from the time of the establishment of the Government been in the Treasury Department and, so far as I know, satisfactorily administered.

The bill is called "A bill to establish the Department of Commerce," and the subjects-matter that are in it have not so much relation to commerce as light has to darkness. Why should the Census Bureau—a pure matter of internal consequence, internal business, in a great Department dealing with the internal affairs of the country, the population of the country—why should that be put into the Department of Commerce? Before the bill is concluded—I am waiting now for the figures and statistics—I hope to be able to show that if the Coast and Geodetic Survey, dealing with science, not with commerce, is to be taken from the Treasury, it should not be put into this Department, but into the Navy Department.

Mr. NELSON. If the Senator will allow me to interrupt him—

Mr. HALE. Certainly.

Mr. NELSON. We have been perfecting the bill by amendments, and I was coming to that feature of the bill, and was going to submit the question as to the Coast and Geodetic Survey to the Senate. I understand—if I am not taking up the time of the Senator—

Mr. HALE. I yield with great pleasure.

Mr. NELSON. I understand there has been some controversy between the Treasury Department and the Department of the Navy as to that matter. In view of that fact, it is my impression that we had better leave it out of this bill and leave the question to be settled subsequently as to whether it should remain in the Treasury or go to the Navy Department. To be candid and to express my own individual opinion, in view of the work which that Bureau or branch of the service performs, I think its duties would be more appropriate and more germane to the Department of the Navy; and if the Senator will allow me and has no objection I will move to strike that out of the bill.

Mr. HALE. I have no objection, but we are eliminating so much here that we had better make one mouthful of it and transfer that Bureau to the Navy Department. The truth is—I will not interrupt the Senator, of course—

Mr. NELSON. The Senator is entitled to the floor, not I.

Mr. HALE. The truth is, that we are getting to have half a dozen different navies, Mr. President, and we ought not to. We have got a navy in the Life-Saving Service; we have got a navy in the Light-House Board; we have got a navy in the Revenue-Cutter Service; we have got a navy in the Marine-Hospital Service; we have got a navy in the Coast and Geodetic Survey, and I suspect it will not be long before my

enterprising and stirring friend, who is at the head of the Geological Survey, will want a navy. We ought to have but one.

Mr. MONEY. Will the Senator allow me?

Mr. HALE. Yes.

Mr. MONEY. Has not the Treasury Department a navy in the Revenue-Cutter Service?

Mr. HALE. I think I mentioned that.

Mr. MONEY. I beg pardon. I did not hear the Senator.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from South Carolina?

Mr. HALE. I will yield to the Senator from South Carolina.

Mr. TILLMAN. I simply want to refer to one other navy, and that is the army transport service, which is assuming magnificent proportions, and about which I have heard some little scandal.

Mr. LODGE. That is being steadily abolished and reduced, I will say for the information of the Senator from South Carolina.

Mr. HALE. All these suggestions are precisely in the line of what I am trying to bring forward before the Senate. Here is an attempt—and in itself, if kept in proper limits, a wise attempt—to bring different branches that are in some degree cognate in their duties under one head; but while we are about it we ought not to divide and put the various duties of these bureaus into a new Department where they naturally do not belong, and take them from another where they do belong.

The Navy Department at one time practically administered the duties of the Coast and Geodetic Survey, furnishing accomplished officers who led their parties and who conducted to a considerable degree their surveys and triangulations. It was then as efficient a service as it has ever been since, and a Senator on my right says a great deal more so. I am inclined to think he is correct about that.

I want to get my figures—I do not expect, of course, that the bill will pass to-day, because there is a great deal in it that we want to discuss—but after I get my figures, I think I shall move an amendment to transfer the Coast and Geodetic Survey to the Navy Department. The Senator in charge of the bill, who is, I think, reasonable in his conduct of it in every way, sees the force of the objection that that Survey should not be in this bill and is inclined to let it go out; but while we are launching upon the work of reassigning and rearranging bureaus we might as well do the whole business here. When the proper time comes I think I shall make the motion which I have indicated. I will not make it at present.

Mr. MONEY. Will the Senator from Maine permit me a moment?

Mr. HALE. Yes.

Mr. MONEY. I desire to suggest to the Senator from Massachusetts [Mr. Lodge] that he have his amendment printed and referred to the Committee on Foreign Relations, as it touches the State Department somewhat. I think that would be the proper course if it meet his approval. I do not want to make the motion, however.

Mr. LODGE. The amendment now pending simply creates an officer at the head of a new bureau. It does not require to be entirely germane and it does not require any action by another committee.

Mr. MONEY. I have no desire to make a motion. I merely made the suggestion. I should like to see it in print.

Mr. LODGE. It will be printed to-morrow. I think when the Senator looks at it he will see that it is a very small matter. It is the creation of only one office.

Mr. MONEY. As I understood, the Senator proposed the immediate consideration and adoption of the amendment.

Mr. LODGE. I simply moved the amendment. It is now pending.

Mr. MONEY. It is now pending. It may be very largely concluded—

Mr. LODGE. There is no objection to it on the part of the committee having the bill in charge.

Mr. MONEY. That may be, but there may be objection outside of the committee, and I should be glad to see it in print. If there is no intention of concluding the bill to-day, and I guess we will hardly do that, I should be very glad if no vote shall be taken until it can be examined into a little.

Mr. HALE. I think the suggestion of the Senator from Mississippi is a good one. I am free to say—

Mr. LODGE. Let it go over and be printed. I will not move it now.

Mr. MONEY. I think that is right.

Mr. HALE. I think the Senator from Massachusetts has it about right, that we will probably adopt it, but I think it wise not unduly to seek dispatch in a matter of this great importance. There is time enough in the Senate to consider it. Other matters

are not pressing, and while I shall not stand in the way of the passage of the bill in any undue fashion, yet I want to get some figures as to the Coast and Geodetic Survey.

The PRESIDENT pro tempore. The Chair understands that the amendment of the Senator from Massachusetts is now withdrawn, and he asks that it lie on the table and be printed.

Mr. HALE. That it be printed.

Mr. LODGE. That is my request.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

Mr. TELLER. I desire to move to strike out section 6. I understand the committee having the matter in charge have agreed that it shall go out.

Mr. LODGE. I did not hear the Senator from Colorado. What section does he propose to strike out?

Mr. TELLER. To strike out section 6, which proposes to transfer the Geological Survey from the Interior Department to the new Department. I understand the committee agree that it may be done.

Mr. NELSON. There is no objection to that.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Colorado to strike out the whole of section 6.

The motion was agreed to.

Mr. BACON. I desire to ask the Senator from Massachusetts whether the direction given his amendment includes all the amendments offered by him?

Mr. LODGE. Oh, no; the others were adopted.

Mr. BACON. It simply covers the last one?

Mr. LODGE. The last one.

Mr. BACON. Which is complete in itself?

Mr. LODGE. Which is complete in itself, being a new section.

Mr. BACON. Very well.

Mr. HALE. Has section 6 gone out bodily?

The PRESIDENT pro tempore. It has gone out.

Mr. HALE. The entire section?

The PRESIDENT pro tempore. The entire section.

Mr. HALE. That is right. The confusion was such that I could not understand.

Mr. NELSON. I desire to offer an amendment.

Mr. HALE. If the Senator in charge of the bill wishes to offer an amendment, I will yield.

Mr. NELSON. I offer a further amendment. On page 3, lines 3 and 4, I move to strike out the words "and the United States Coast and Geodetic Survey."

Mr. HALE. I move to insert after the words proposed to be stricken out the words, "and the same is hereby transferred to the Navy Department."

Now, Mr. President, I do not expect—

Mr. PLATT of Connecticut. The Senator from Maine does not want a vote on his amendment to-day?

Mr. HALE. No. The Senator from Connecticut says he hopes I will not ask for a vote on the amendment to-day. I do not expect that the Senate will vote on it to-day. I want them to have a little time to consider. It is proper, I think, that it should go there, but I would not precipitate a vote on my amendment now. Then I want also, as other Senators do, to discuss the Census Bureau and several other subjects. Therefore I shall not insist upon a vote to-day, and unless there are other amendments—

Mr. PLATT of Connecticut. Will the Senator from Maine permit me?

Mr. HALE. Certainly.

Mr. PLATT of Connecticut. Mr. President, I hope there will be no attempt to secure to-day a vote either upon the bill or any of the important amendments which have been suggested. I desire to say that as I look at it to-day I do not see any reason why one of the most valuable bureaus in the United States Government should be forcibly removed from the present Department to which it is attached and transferred to this new Department. I refer to the office of the Commissioner of Patents, which has had pretty hard and severe treatment hitherto, Mr. President.

The Patent Office building was built for that office, and at some subsequent time it was attached to the Interior Department. The Interior Department proceeded to utilize, occupy, and crowd the Patent Office until the disposition of the people of the United States and its Congress, in providing that building for the Patent Office and the recognition of the Patent Office in thus providing therefor, seems to have been entirely set aside.

I shall have quite a little to say on this bill before it passes. Thus forcibly, and without any reason that I can think of, to take the Patent Office away from the Interior Department, with which it has become correlated and adjusted, so that its

business proceeds by rules and regulations, it seems to me would be a very strange proceeding. I do not want to go into it to-day. I can say considerable on this subject, and before the bill comes to a conclusion I should like to be heard on that proposition.

Mr. HALE. I think there is a general feeling that these great subject-matters ought to be investigated, and we can not do it today. I therefore move that the Senate proceed to the consideration of executive business.

Mr. FAIRBANKS. There are a few uncontested bills on the Calendar——

Mr. HALE. If the Senators desire to go to the Calendar by unanimous consent, I will withhold the motion for the present.

Mr. LODGE. I hope the Senator from Maine will do that. There are a great many uncontested and unobjected bills on the Calendar. It is early in the day.

Mr. NELSON. I ask that the pending bill may go over, retaining its place on the Calendar.

The PRESIDENT pro tempore. The Senator from Minnesota asks that the pending bill may go over, retaining its place on the Calendar.

Mr. COCKRELL. All right.

The PRESIDENT pro tempore. If there is no objection, it is so ordered.

Mr. PETTUS. I suggest that the bill be printed with the amendments to it.

Mr. COCKRELL. Let it be printed as it is now amended.

Mr. PETTUS. And with the amendments offered.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama? The Chair hears none, and it is so ordered.

Mr. NELSON subsequently said: I request that the bill proposing to establish a Department of Commerce be reprinted with the amendments which have been adopted to-day.

Mr. COCKRELL. That has already been ordered.

The PRESIDING OFFICER (Mr. Gallinger in the chair). The Chair is informed that that has already been done.

Mr. NELSON. I think not; but if it has already been done, well and good. I ask to have it reprinted with all the amendments that have been adopted, and also one amendment proposed and not adopted.

The PRESIDING OFFICER. The Chair is informed that the bill has been ordered reprinted with the amendments, and that the amendment to which the Senator from Minnesota refers is included.

January 20, 1902, the debate was continued in the Senate.

Mr. NELSON. I ask unanimous consent that the Senate resume the consideration of the bill (S. 569) to establish the Department of Commerce.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. NELSON. Mr. President, I desire this morning briefly to correct some misapprehensions which seem to exist in reference to this bill.

When the bill was first called up for consideration I did not apprehend that there would be any serious objection to it from any direction, but from remarks which have been made by some Senators while the bill has been up I have been led to believe that there are some parts of the measure which are not fully understood.

We find, on looking over the Executive Departments of the Government, that the only industrial interests of the country which are under the administration, guidance, direction, and protection, if I may use that phrase, of an executive department are our great agricultural interests. They have for years had the Department of Agriculture, which has looked after the agricultural interests of the country in a very practical, useful, and comprehensive manner.

I have no doubt it is the consensus of opinion in this country that that Department has performed a most useful and necessary function for our agricultural interests.

Now, if we look abroad in other directions, through the industrial fields; if we look at our commerce, foreign and inland; if we look at our great manufacturing industries, our shipping industries, and our fishing industries, and all through the great industries of the country, we find that those several industries and interests have no governmental department to which they can look for guidance, advice, and administrative care.

In every other country of any consequence, with but few exceptions, even among the smaller countries, there is a department similar to that proposed in this bill. Every country has felt the need and the necessity for such an administrative depart-

ment to look after its commercial and industrial interests. One of the latest countries to act on this principle is Russia. Until two years ago the administration of the commercial, manufacturing, and industrial interests of Russia was a part of the finance department of that country, which is the same as the Department of the Treasury in this country.

In addition to this there has been a greater demand throughout the industrial and commercial world for the establishment of such a department and for this legislation than there has been for any other bill I can recall which has been pending before Congress. The Committee on Commerce have been overwhelmed with resolutions, petitions, and memorials from commercial bodies, manufacturing bodies, shipping interests, and other industrial interests all over this broad land—East, West, North, and South. I have had some little experience in legislation, although not so much as many other Senators here, and yet I can say that in my experience I know of no bill which has had such hearty support and such great interest taken in it throughout the country as has this great bill.

Now, this bill aims—and that is its purpose—to establish an executive department the duty of which shall be to foster, promote, and develop commercial, manufacturing, fishery, shipping, and all other great industries of this country. We find on looking through the several departments of this Government that there are some bureaus, divisions, and branches of the service scattered around in a heterogeneous manner that are in part devoted to some of the work involved in this bill, but they are scattered around in such a manner that they can not work in unison or in harmony or to a common purpose and end.

It is intended by this bill to equip the proposed Department with all those bureaus and branches of the public service that relate to these subjects—that relate to the commercial interests of the country; that relate to the manufacturing interests of the country; that relate to the shipping interests of the country; that relate to the labor and immigration interests of the country, and that relate to the fishing industry of the country.

Now, it has been said that the effect of this bill will be to withdraw a great many bureaus from other departments and to overload the proposed Department and to make it the great Department of Government. Mr. President, that is founded on a misapprehension and a misunderstanding of the case. The two great departments of the Government which to-day are overcrowded and have more work than they ought to do, and work of a disconnected and inharmonious character, are the Treasury Department and the Interior Department. A year ago, when I carefully looked up the subject by making inquiries at the Department, the Treasury Department had a force of 4,881 employees, while the Interior Department had 4,440 employees. When I speak of employees I mean the employees who are working in the several bureaus in Washington. The other departments have but a minor force—the Department of Justice only 141, the Navy Department 324, the State Department 95, the Post-Office Department 697, the Agricultural Department 804, the War Department 1,787—while each of the other departments, the Treasury and the Interior Department, has a larger force than all the other departments combined.

Now, look at the character of those departments. Take, for instance, the Treasury Department. The chief scope and purpose of that Department is to take charge of the fiscal and financial operations of the Government; to collect the revenue from customs and internal revenue; to disburse that revenue for all public purposes; to take charge of our currency, of the coinage, of our national debt, and of all that pertains to the fiscal and financial operations of the Government. As its name implies, it is the Treasury Department, or what they call in other governments the finance department, of the Government.

Now, in the course of time that Department has been lumbered up with a lot of matters foreign to its main purpose. The Department of the Treasury has attached to it the Life-Saving Service, the Light-House Board, the Marine-Hospital Service, the Steamboat-Inspection Service, the Bureau of Navigation, the United States Shipping Commissioners, the Bureau of Immigration, the Bureau of Statistics, and the United States Coast and Geodetic Survey.

Now, all these branches of the public service, the titles of which I have read, have no relevancy to or bearing upon the financial or fiscal administration of the Government. They have charge of matters each and all of which peculiarly appertain to commerce and navigation, to the industrial interests of this country, and they ought not to be attached to a department charged with the fiscal affairs of the Government.

Mr. HALE. Mr. President—

The PRESIDING OFFICER (Mr. Fairbanks in the chair). Does the Senator from Minnesota yield to the Senator from Maine?

Mr. NELSON. Certainly.

Mr. HALE. I perceive the force of the suggestion which the Senator from Minnesota is making. It has struck me in reading over the list of these different bureaus in the Treasury Department—

Mr. NELSON. If the Senator will allow me, I could, before he asks the question, give him a little supplemental information which would make his question more germane, I think.

Mr. HALE. I was merely going to ask why all these branches should be taken out and put in a new department—the Light-House Service, the Steamboat-Inspection Service, the Shipping Commissioners, etc.—while the Revenue-Cutter Service was left with the Treasury Department?

Mr. NELSON. My answer to that is this, and the Senator can see the force of it: The Revenue-Marine Service aids in the collection of our revenue on water. It pertains to the fiscal management of the Government. It is the duty of that service to look after smuggling by water. We have along our international boundary a lot of Treasury agents looking after smuggling by land, and the Revenue-Cutter Service is that branch of the service which looks after those matters on water, if I may use that expression. That is why. It appertains peculiarly to the collection of our revenue, and has to protect and preserve it from smuggling and other things. Hence we find that revenue cutters in all our ports and harbors frequently run out to sea and meet vessels coming into port, and revenue officers are immediately put on board the great Atlantic liners.

I think the Senator will agree with me, in view of the fact that this service has peculiar charge of the branch of the service which relates to the collection of the customs revenues, that it should belong to the department of the Government charged with that duty.

Mr. HALE. I agree with the Senator. I supposed that would be the answer given. But I think it applies also to some of the other services.

Mr. NELSON. I will take them up more in detail later.

Mr. HALE. But the Senator is going on, and I will wait until he is at leisure.

Mr. NELSON. Now, from a remark made by the honorable Senator from Maine the other day, I inferred that he thought there was very little left for the Treasury Department. I will call his attention, if he has the report of the committee, to page 4, where he will find the fact stated that, taking these bureaus and divisions out of the Treasury Department, as the bill proposes, the Treasury Department will still be left with the following bureaus and divisions of the public service; and if the Senator will listen he will see what a multitude they are:

Treasurer of the United States, Director of the Mint, Comptroller of the Currency, Bureau of Engraving and Printing, Division of Public Monies, Division of Loans and Currency, Secret Service Division, Comptroller of the Treasury, Register of the Treasury, Auditor for the Treasury Department, Auditor for the War Department, Auditor for the Interior Department, Auditor for the Navy Department, Auditor for the State and other Departments, Auditor for the Post-Office Department, national-bank redemption agencies, Commissioner of Internal Revenue, Commissioner of Customs, and the Revenue-Cutter Service.

All those bureaus will remain the Treasury Department, and it will have a great and immense force.

Now let me call the Senator's attention to the character of the divisions of the service which it is proposed to transfer to the new Department from the Treasury Department. We transfer, first of all, the Bureau of Navigation, because it relates to the shipping industries of the country. In connection with it we transfer the Life-Saving Service and the Light-House Board. Now, a mere inspection—and it needs no argument, for everyone can see at a glance—shows that the Life-Saving Service and the Light-House Board all pertain to our shipping interests. They relate to matters of navigation. They have no bearing on or relevancy to any of the chief duties vested in the Treasury Department. They have no bearing upon the financial or fiscal operations of the Government. They bear directly upon our shipping industries and indirectly upon our commercial interests so far as they are connected with our shipping industry.

The same is true of the Light-House Service and the Marine-Hospital Service. The latter service is charged with looking after the welfare of our sailors connected with our merchant marine. Why should that service remain with the Treasury Department? Why should not that be attached to the Department of Commerce and Industries?

Take the Steamboat-Inspection Service, engaged in inspecting our steamboats and seeing that they are safe—that they are properly licensed to navigate our waters. Why should the Treasury Department be charged with that duty, and is not that a duty which peculiarly pertains to the province of commerce and to our shipping industries? The same is true of the United States shipping commissioners, who have

charge and look after the welfare of our sailors in their taking service on board of vessels.

Now, take the Bureau of Immigration. It does not relate to any of the fiscal and financial affairs of the Government, but to the industrial welfare of the nation. It has a bearing upon the interests of the laboring man. It has a bearing upon our manufacturing industries and all the industries of the country. There ought to be under the Department of Commerce, if anything ought to be under that Department, the question of passing upon and executing our immigration laws and examining immigrants who come to our shores.

Mr. HALE. How about the United States Coast and Geodetic Survey?

Mr. NELSON. I have this to say about that department: The Coast and Geodetic Survey was established years ago, and it was, when first established, assigned to the Treasury Department. Then the question came up, and it has been a question off and on, as to whether it ought not to be assigned to the Navy Department. In 1843 Congress provided by act (March 3, 1843) for an examination and settlement of the matter. That act authorized a board to submit a plan for the approval of the President. The board consisted of the Superintendent of the Survey, two of his civilian assistants, four officers of the Army, and two of the Navy. This board resolved that inasmuch as the object and purpose of the survey of the coasts refer particularly to the commercial interests of the country it should be under the control of the Treasury Department. It provided that army and naval officers, as well as civilians, should participate in the work.

During the Mexican war all of the military officers who were connected with the work were withdrawn and sent to the front, and at the commencement of the civil war the same took place. All the military and naval officers were withdrawn from this service and sent into active service. The same took place during the Spanish war. We find, by looking at the record of the operations of the Coast and Geodetic Survey, that while they had officers of the Army and officers of the Navy participating in the work, every time there has been a war—the war with Mexico, the civil war, and the Spanish war—those officers have been withdrawn from the service and the work has been committed to civilian employees, and the work has been done well.

Now, what is the chief work of that Bureau? It is to examine the waters of our seacoasts as far as tide water and to sound those and chart them and to prepare the charts for purposes of navigation. Our merchant marine is more interested in their work than is any other department of our industrial life, and the duties of the civilian employees are first of all to go in their boats along the coast and make soundings of the depths of the harbors and of the entrance to harbors and of our coasts in the interests of navigation. Now, no one can dispute that civilians are as competent to perform that work as any naval man or military man. After that work has been done in the field, after the soundings have been made and the depths of our waters along the coast have been ascertained from an actual survey on the ground, then the work is platted and charted, and those charts are distributed to the different vessels in our merchant marine. There is no occasion, in my judgment, to put that upon, and it should not be put upon, the Navy Department of the Government.

The Navy Department, especially in time of war, has need for all of its naval officers for its work. They are educated for that purpose, and we need them for that work. Our experience in the past has demonstrated that whenever we had a war Army and Navy men connected with that work have been withdrawn from the service and have been put into the active service, and the work has been left to civilian employees. Inasmuch as this service pertains to our shipping and the welfare of our shipping interests and our merchant marine, I say appropriately and necessarily it belongs to the Department of Commerce.

I wish to call attention, further, in this connection to the fact that the Navy Department has an office called the Hydrographic Office, which was established originally as a depot for the collection of and the supplying of the Navy with charts and instruments. The main work of that office is to secure charts of surveys by foreign governments, and to reprint them and furnish them to our Navy. They have a work of their own. They do a work that the Coast and Geodetic Survey can not do. They gather information from foreign nations of surveys made in foreign harbors and along coast lines, get their charts, reprint those charts, and distribute them among our naval officers. So they are amply provided for in that branch of the service, and there is no occasion to make this Department, which has nothing to do with that branch of it, a part of the Navy Department.

Mr. HALE. Is the Senator about to leave this particular subject?

Mr. NELSON. Yes, in part, but I am coming back to it afterwards.

Mr. HALE. When the matter was called up on Thursday I stated that I was getting

some papers which would bear on the subject, and the Senator in charge of the bill said they had determined not to insist upon this remaining in the bill, but it would go back to the Treasury Department, so that the old controversy between that Department and the Navy Department might at any time be taken up as a separate measure. On looking the matter over I saw the force of that. I have no doubt the Senator proposes to do that. Therefore I have not armed myself with the papers necessary if the contest were to be made for incorporating these duties into the Navy Department. If the Senator does that, then that controversy will be taken up hereafter between the two Departments as he indicated the other day.

Mr. NELSON. I may say, in this connection, if the Senator will allow me, that the committee as a committee took no action. Whatever I said and did the other day was rather more on my own responsibility; and after looking over the question carefully I am satisfied in my own mind that the Coast and Geodetic Survey ought to belong to the Department of Commerce.

Mr. HALE. The Senator took the responsibility that a Senator does who is in charge of a bill. I wish he had told me that at the time, because he clearly made the proposition that he would move to strike that out and leave the service where it is and where it has been, and let the controversy come up afterwards. I supposed, of course, that that would be done, and have supposed so and do now. I do not think the Senator will undertake to go back in any way upon the suggestion made at that time.

Mr. NELSON. The honorable Senator from Maine will remember that he at that time also indicated that he would move to amend and to attach this Bureau to the Navy Department, so that the double question was, in a measure, pending.

Mr. HALE. Undoubtedly, technically pending, because the provision did not go out. That is what brought it up; but on the strength of the Senator's proposition I concluded not to go further and not to ask the Senate to consider the amendment, and I did not arm myself with the documents and papers. When the Senator got up this morning I supposed, of course, that he was going to move, as he did the other day, to strike that out. My amendment would go with it.

Mr. NELSON. I have taken some pains to ascertain the number of employees in the bureaus and divisions of the public service taken by this bill from the other departments and transferred to the Department of Commerce. I did this because it was claimed the other day that we were clipping the other departments and making this the great dominating department. I find, by looking up the records—and I will say to the Senator from Maine that I have taken the last legislative appropriation act in order to get the figures correct—that the number is as follows. I refer simply to the employees in the Government bureaus in Washington and not to those in the field. In the Life-Saving Service there are 29 employees who are transferred to this Department by the pending bill; in the Light-House Board, 32; in the Marine-Hospital Service, 29; in the Steamboat-Inspection Service, 7; in the Bureau of Navigation, 21; in the Bureau of Immigration, 7; in the Bureau of Statistics, 37; in the Coast and Geodetic Survey, 124. This makes a total of 286 employees taken from the Treasury Department out of a total force of 4,595.

Now, take the Interior Department.

Mr. PETTUS. Mr. President.

The PRESIDING OFFICER (Mr. Gallinger in the chair). Does the Senator from Minnesota yield to the Senator from Alabama?

Mr. NELSON. Certainly.

Mr. PETTUS. I understood the Senator to consent at the last meeting that the United States Coast and Geodetic Survey should be taken out of the bill. Is it not stricken out?

Mr. NELSON. No; it is not stricken out. It is still pending.

Mr. PETTUS. What is the status of the provision?

Mr. NELSON. The amendment is still pending. It was not disposed of.

Mr. PLATT, of Connecticut. Before the Senator from Minnesota speaks of the Interior Department, I wish to assure him that I am in favor of the creation of a Department of Commerce, but may I ask if there are not many officials outside of Washington who are connected, for instance, with the Immigration Bureau?

Mr. NELSON. Oh, yes; I have not taken them into account in the figures. I wish to say to the Senator that in figuring up the aggregate number of employees of the Treasury Department I only took the number of employees who are employed in bureaus in Washington.

Mr. PLATT, of Connecticut. All the employees of the Immigration Bureau, whether employed here in Washington or elsewhere, would come under the control of the new Department, would they not?

Mr. NELSON. Certainly; but I wish to call the Senator's attention to the fact that in respect to the Treasury Department there are a multitude of collectors and deputy

collectors and other agents outside of Washington, and so in the Internal-Revenue Service. Those have not entered into this count. So the count is as fair on one side as on the other.

Now, take the Interior Department. The aggregate number of employees in that Department here in Washington, and I do not include the agents they have in the field, is 3,835. The total number of employees in the Patent Office here is 605. I will state to the Senator from Connecticut that my statement is based upon figures that I got from the Department a year ago as the result of a direct correspondence with the Department.

Mr. PLATT, of Connecticut. What is the number in the Patent Office?

Mr. NELSON. Six hundred and five here in Washington.

Mr. PLATT, of Connecticut. I think the number has somewhat enlarged, and that there are now between 600 and 700 employees.

Mr. NELSON. The number may have been enlarged. These figures were given a year ago.

Now, as to the Census Office, it is impossible to give the figures. I understand that that Bureau had somewhere in the neighborhood of 2,700 employees, exclusive of the enumerators. They had at the maximum something like 2,700 employees and a little over here in Washington. That force has been reduced. A month ago, I think, it was reduced to 1,700 or 1,800, and it is still being reduced. I apprehend at this time that there are perhaps not more than half of the original force in that Bureau, and it is likely that within the next year it will be largely reduced, perhaps reduced to 400 or 500 employees.

The Bureau of Foreign Commerce, which is the only Bureau transferred from the Department of State, has 10 employees. Then we have three departments, or bureaus, or divisions that are outside of any executive departments. They exist by themselves independently. One is the Department of Labor, with a force of 78 employees. Another is the United States Fish Commission, with 38 employees, and in that I do not include any of those who are out at the different fish stations of the country.

I have also made a brief estimate of the additional force that I imagine would be necessary for this new Department to start with, and the salaries, in addition to the force it gets by a transfer of these bureaus and divisions of the public service. First, Secretary, with a salary of \$8,000; Assistant Secretary, \$4,000; Chief of the Bureau of Manufactures, \$3,000. Those are the three principal offices for which salary is provided in the bill.

Then in the Secretary's office I have estimated, after conferring with those who ought to know, that it would require in the first instance 1 chief clerk, 1 disbursing clerk, 1 clerk of class 4, 2 clerks of class 3, 2 clerks of class 2, and 6 of class 1. The aggregate salary of these would be \$18,800.

In the Bureau of Manufactures, which is a new bureau entirely, I estimate that the force in the first instance required would be a chief clerk, at a salary of \$2,000; 1 clerk of class 4, \$1,800; 2 clerks of class 3, \$3,200; 4 clerks of class 2, \$5,600; and 6 clerks of class 1, \$7,200; making a total of \$19,800.

The aggregate increase of salaries by this bill, as I figure it, would be \$53,600. This would equip the Department, in the first instance, with a working force, in addition to the force gathered by a transfer from the different bureaus and divisions of the public service.

I submit the figures in detail and in tabulated form to be inserted in the Record.

The tables referred to are as follows:

List of employees and salaries in the several bureaus and divisions transferred to the Department of Commerce.

LIGHT-HOUSE BOARD.		LIFE-SAVING SERVICE.	
1 chief clerk	\$2,400	1 General Superintendent	\$4,000
2 clerks class 4, at \$1,800	3,600	1 assistant superintendent	2,500
2 clerks class 3, at \$1,600	3,200	1 principal clerk	2,000
2 clerks class 2, at \$1,400	2,800	1 topographer and hydrographer	1,800
4 clerks class 1, at \$1,200	4,800	1 civil engineer	1,800
2 clerks, at \$1,000	2,000	1 draftsman	1,500
10 clerks, at \$900	9,000	4 clerks class 4, at \$1,800	7,200
1 clerk	840	3 clerks class 3, at \$1,600	4,800
2 assistant messengers, at \$720	1,440	3 clerks class 2, at \$1,400	4,200
1 laborer	600	5 clerks class 1, at \$1,200	6,000
1 assistant civil engineer	2,400	2 clerks, at \$1,000	2,000
1 draftsman	1,800	4 clerks, at \$900	3,600
1 draftsman	1,560	1 assistant messenger	1,380
1 draftsman	1,440	1 laborer	
1 draftsman	1,200		
32 Total	39,080	29 Total	42,780

List of employees and salaries in the several bureaus and divisions transferred to the Department of Commerce—Continued.

THE MARINE-HOSPITAL SERVICE.

1 Supervising Surgeon-General.....	\$4,000
1 chief clerk.....	2,000
2 clerks class 4, at \$1,800.....	3,600
4 clerks class 3, at \$1,600.....	6,400
3 clerks class 2, at \$1,400.....	4,200
4 clerks class 1, at \$1,200.....	4,800
1 clerk and translator.....	1,200
1 hospital steward.....	1,200
6 clerks, at \$900.....	5,400
1 messenger.....	600
5 laborers, at \$540.....	2,700
29 Total.....	36,100

STEAMBOAT-INSPECTION SERVICE.

1 Supervising Inspector-General.....	\$3,500
1 chief clerk.....	1,800
2 clerks class 3, at \$1,600.....	3,600
1 clerk class 1, at \$1,200.....	1,200
1 clerk class 1 (stenographer and typewriter).....	1,200
1 messenger.....	440
7 Total.....	11,740

BUREAU OF NAVIGATION.

1 Commissioner of Navigation.....	\$3,600
2 clerks class 4, at \$1,800.....	3,600
Deputy Commissioner (one of above clerks).....	400
1 clerk class 3.....	1,600
2 clerks class 2, at \$1,400.....	2,800
4 clerks class 1, at \$1,200.....	4,800
9 clerks, at \$900.....	8,100
1 assistant messenger.....	1,380
1 laborer.....	
21 Total.....	26,280

BUREAU OF IMMIGRATION.

1 Commissioner-General of Immigration.....	\$4,000
1 chief clerk.....	2,250
1 confidential clerk.....	1,200
1 statistician and stenographer.....	1,800
1 supervising immigrant inspector.....	1,600
1 messenger.....	1,560
1 assistant messenger.....	
7 Total.....	12,410

BUREAU OF STATISTICS.

1 officer in charge.....	\$3,500
1 chief clerk.....	2,250
1 statistical clerk.....	2,000
4 clerks of class 4, at \$1,800.....	7,200
3 clerks of class 3, at \$1,600.....	4,800
1 stenographer and typewriter.....	1,500
5 clerks class 2, at \$1,400.....	7,000
8 clerks class 1, at \$1,200.....	9,600
1 translator.....	1,200
6 clerks, at \$1,000.....	6,000
2 copyists.....	4,020
1 messenger.....	
1 assistant messenger.....	
1 laborer.....	
1 female laborer.....	480
37 Total.....	49,550

COAST AND GEODETIC SURVEY

1 Superintendent.....	\$5,000
2 assistants, at \$4,000.....	8,000
1 assistant.....	3,200
5 assistants, at \$3,000.....	15,000
5 assistants, at \$2,500.....	12,500

COAST AND GEODETIC SURVEY—Continued.

1 assistant.....	\$2,400
8 assistants, at \$2,200.....	17,600
8 assistants, at \$2,000.....	16,000
3 assistants, at \$1,800.....	5,400
4 assistants, at \$1,600.....	6,400
3 assistants, at \$1,400.....	4,200
8 assistants, at \$1,200.....	9,600
6 aids, at \$900.....	5,400
23 aids, at \$720.....	16,560
78 Total.....	127,260

OFFICE FORCE.

1 disbursing agent.....	\$2,200
1 chief, division library and archives.....	1,800
2 clerks, at \$1,800.....	3,600
2 clerks, at \$1,650.....	3,300
4 clerks, at \$1,400.....	5,600
6 clerks, at \$1,200.....	7,200
3 clerks, at \$1,000.....	3,000
For chart correctors, buoy colorists, stenographers, writers, typewriters, and copyists, namely:	
2 at \$1,200.....	2,400
3 at \$900.....	2,700
1 at \$800.....	800
7 at \$720.....	5,040
1 at \$600.....	600
For topographic and hydrographic draftsmen, namely:	
1 at \$2,400.....	2,400
1 at \$2,200.....	2,200
2 at \$2,000.....	4,000
3 at \$1,800.....	5,400
2 at \$1,600.....	3,200
2 at \$1,400.....	2,800
1 at \$1,200.....	1,200
3 at \$1,000.....	3,000
2 at \$900.....	1,800
1 at \$700.....	700
For astronomical, geodetic, tidal, and miscellaneous computers, namely:	
2 at \$2,000.....	4,000
1 at \$1,800.....	1,800
4 at \$1,600.....	6,400
1 at \$1,400.....	1,400
1 at \$1,200.....	1,200
3 at \$1,000.....	3,000
Copperplate engravers, namely:	
3 at \$2,000.....	6,000
2 at \$1,800.....	3,600
2 at \$1,600.....	3,200
1 at \$1,400.....	1,400
2 at \$1,200.....	2,400
2 at \$1,000.....	2,000
4 at \$900.....	3,600
1 at \$700.....	700
Electrotypers and photographers, plate printers and their helpers, instrument makers, carpenters, engineers, and others skilled laborers, namely:	
2 at \$1,800.....	3,600
1 at \$1,600.....	1,600
9 at \$1,200.....	10,800
5 at \$1,000.....	5,000
1 at \$900.....	900
6 at \$700.....	4,200
Watchmen, firemen, messengers and laborers, packers and folders, and miscellaneous work, namely:	
3 at \$880.....	2,640
4 at \$820.....	3,280
2 at \$700.....	1,400
2 at \$640.....	1,280
4 at \$630.....	2,520
2 at \$550.....	1,100
1 laborer.....	550
2 laborers, at \$365.....	730
124 Total.....	145,240

List of employees and salaries in the several bureaus and divisions transferred to the Department of Commerce—Continued.

PATENT OFFICE.		COMMISSIONER OF FISH AND FISHERIES.	
1 Commissioner of Patents.....	\$5,000	1 Commissioner.....	\$5,000
1 Assistant Commissioner.....	3,000	1 chief clerk.....	2,400
1 chief clerk.....	2,250	1 stenographer (to Commissioner).....	1,600
2 law clerks, at \$2,000.....	4,000	1 librarian.....	1,200
3 examiners in chief, at \$3,000.....	9,000	1 clerk, class 4.....	1,800
1 examiner of interference.....	2,500	2 clerks, class 3, at \$1,600.....	3,200
32 principal examiners, at \$2,500.....	80,000	1 private secretary.....	1,200
34 first assistant examiners, at \$1,800.....	61,200	1 clerk.....	1,000
38 second assistant examiners, at \$1,600.....	60,800	2 clerks, at \$900.....	1,800
43 third assistant examiners, at \$1,400.....	60,200	1 engineer.....	1,080
52 fourth assistant examiners, at \$1,200.....	62,400	3 firemen, at \$600.....	1,800
1 financial clerk.....	2,000	2 watchmen, at \$720.....	1,440
1 librarian.....	2,000	3 janitors and messengers, at \$600.....	1,800
3 chiefs of division, at \$2,000.....	6,000	1 janitress.....	480
3 assistant chiefs of division, at \$1,800.....	5,400	1 messenger.....	240
5 clerks of class 4.....	9,000		
1 machinist.....	1,600	22 Total.....	26,040
6 clerks of class 3.....	9,600		
14 clerks of class 2.....	\$19,600		
50 clerks of class 1.....	60,000		
1 skilled laborer.....	1,200		
3 skilled draftsmen, at \$1,200.....	3,600		
4 draftsmen, at \$1,000.....	4,000		
25 permanent clerks, at \$1,000.....	25,000		
1 messenger and property clerk.....	1,000		
5 model attendants, at \$1,000.....	5,000		
10 model attendants, at \$800.....	8,000		
60 copyists, at \$900.....	54,000		
76 copyists, at \$720.....	54,720		
3 messengers, at \$840.....	2,520		
20 assistant messengers, at \$720.....	14,400		
45 laborers, at \$600.....	27,000		
45 laborers, at \$480.....	21,600		
15 messenger boys, at \$300.....	5,400		
605 Total.....	692,990		
DEPARTMENT OF LABOR.		OFFICE OF ACCOUNTS.	
1 Commissioner of.....	\$5,000	1 disbursing agent.....	\$2,200
1 chief clerk.....	2,500	1 examiner of accounts.....	1,600
1 disbursing clerk.....	2,000	1 property clerk.....	1,600
4 statistical experts, at \$2,000.....	8,000	1 clerk, class 1.....	1,200
4 clerks, class 4, at \$1,800.....	7,200	1 bookkeeper.....	1,080
5 clerks, class 3, at \$1,600.....	8,000		
6 clerks, class 2, at \$1,400.....	8,400	5 Total.....	7,680
12 clerks, class 1, at \$1,200.....	14,400		
10 clerks, at \$1,000.....	10,000		
2 copyists.....			
1 messenger.....			
1 assistant messenger.....	8,800		
3 watchmen.....			
4 laborers.....			
3 charwomen.....			
6 special agents, at \$1,600.....	9,600		
10 special agents, at \$1,400.....	14,000		
4 special agents, at \$1,200.....	4,800		
78 Total.....	102,780		
		OFFICE OF ARCHITECT AND ENGINEER.	
		1 architect and engineer.....	\$2,200
		1 draftsman.....	1,200
		1 draftsman.....	900
		1 clerk.....	720
		4 Total.....	5,020
		Division of Fish Culture office.....	38,740
		1 assistant in charge.....	2,700
		1 superintendent of car and mess service.....	1,600
		1 clerk, class 3.....	1,600
		1 clerk, class 2.....	1,400
		2 clerks, class 1, at \$1,200.....	2,400
		1 copyist.....	720
		7 Total.....	10,420
		38 Commissioner of Fish and Fisheries.....	49,160
		BUREAU OF FOREIGN COMMERCE.	
		1 chief.....	\$2,100
		6 clerks.....	9,960
		2 laborers.....	660
		1 messenger.....	
		10 Total.....	12,720

Total new salaries and new force involved in the Department of Commerce bill in the first instance.

1 Secretary, salary.....	\$8,000
1 Assistant Secretary, salary.....	4,000
1 chief, Bureau of Manufactures, salary.....	3,000
13 force in Secretary's office (see "A").....	18,800
14 force in Bureau of Manufactures (see "A").....	19,800
30 Total.....	53,600
Total force in Department of Commerce (see "B").....	1,047
Total force left in Treasury Department (see "B").....	4,595
Total force left in Interior Department (see "B").....	3,835
Total force left in State Department (see "B").....	85

"A."—NEW FORCE OF EMPLOYEES IN THE DEPARTMENT OF COMMERCE.

Secretary's office:	
1 chief clerk	\$2,000
1 disbursing clerk	1,800
1 clerk, class 4	1,800
2 clerks, class 3, at \$1,600	3,200
2 clerks, class 2, at \$1,400	2,800
6 clerks, class 1, at \$1,200	7,200
13 Total	18,800
Bureau of manufactures:	
1 chief clerk	2,000
1 clerk, class 4	1,800
2 clerks, class 3, at \$1,600	3,200
4 clerks, class 2, at \$1,400	5,600
6 clerks, class 1, at \$1,200	7,200
14 Total	19,800

"B."

	Total employ-ees.	Number of force transferred to Department of Commerce.	Force left.
Treasury Department	4,881		
Life-Saving Service, 29 (see page 446)			
Light-House Board, 32 (see page 446)			
Marine-Hospital Service, 29 (see page 447)			
Steamboat-Inspection Service, 7 (see page 447)			
Bureau of Navigation, 21 (see page 447)			
Bureau of Immigration, 7 (see page 447)			
Bureau of Statistics, 37 (see page 447)			
Coast and Geodetic Survey, 124 (see page 447)		286	4,595
Interior Department	4,440		
Patent Office (see page 448)		605	3,835
State Department	95		
Bureau of Foreign Commerce (see page 448)		10	85
Department of Labor (see page 448)		78	
Fish Commission (see page 448)		38	
Department of Commerce, first instance		30	
Total Department of Commerce after transfers		1,047	

NOTE.—These figures are exclusive of the Census Office.

Mr. NELSON. Now, Mr. President, some question has been raised about the Census Office. I desire to say, in reference to the Census Office, that, as Senators know, that Office deals exclusively with agricultural, commercial, manufacturing, and vital statistics of all kinds. By looking at the different departments we find that this matter of statistics is a good deal duplicated. They have a statistical bureau in the State Department known as the Bureau of Foreign Commerce. They have in the Treasury Department the great Bureau of Statistics. Then, in addition to that, we have the Census Bureau. Now, these different bureaus duplicate the work.

Mr. PLATT, of Connecticut. Is there not also a statistical division in the Agricultural Department?

Mr. NELSON. I was coming to that. That is an independent department. They have a statistical division there.

It appeared to the committee, and it so appears to me, and I think it will appear to any Senator who gives the subject reflection, that this duplication of statistical work is unnecessary and leads to needless expense. Hence we feel that it would be a good plan to attach the Census Bureau, the Bureau of Statistics of the Treasury Department, and the Bureau of Foreign Commerce in the State Department to the Department of Commerce.

Now, we do not undertake to do it at this time, but I think in time, after we get a Secretary at the head of that Department, and after he has considered and carefully digested the work of these three different divisions, he will be able to formulate a

plan and present a programme to Congress by which all the statistical work can be done under one head and under one division, so that when we come to look up a matter of statistics we shall not have to go for some part of it to the Bureau of Foreign Commerce, for another part to the Bureau of Statistics in the Treasury Department, for another to the Census Office, and for another to the Agricultural Department.

The matter of census statistics pertains, if it pertains anywhere at all, to our commercial and industrial development, and I think if Senators will reflect a moment they will all agree with me that this statistical work ought to belong to and be a part of the Department of Commerce.

Now, coming to the Department of Labor, that, we find, stands isolated and by itself. The purpose of that Department is to look after our laboring interests. That Department gathers and compiles a lot of statistics. It is the duty of that Department peculiarly to look after the interests of our laboring men. But our laboring men are vitally interested in our commercial and our industrial development, in our shipping industries, and in our fishery industries, and they are also vitally interested in the question of immigration, the Bureau of Immigration being attached by this bill to the Department of Commerce.

It is to far greater advantage to the labor interests of this country that their work can articulate and be in harmony with all these other interests and bear directly upon the welfare of the laboring men. The laboring men of this country are vitally interested in the immigration question. They are vitally interested in the shipping question and in a merchant marine. They are vitally interested in our manufacturing industries. They are vitally interested in our fishing industries. They are vitally interested in our commercial development. By gathering all these bureaus and departments into one whole, under one head, the Department can work to better purpose and more efficiently for the labor interests, the manufacturing interests, and the commercial interests of this country.

I think if Senators will reflect they will see that it is for the interest of the laboring men to belong to a department where they can have something to say on the question of immigration; something to say on the question of shipping and our merchant marine; something to say in reference to the fishing industries; something to say in reference to our manufacturing industries and our manufacturing development, and the things which pertain to our great commerce, foreign and inland.

Instead of this being one of the largest departments, as was intimated the other day, I find, on figuring up the employees in the various departments and divisions of the public service, we would be taking 286 employees from the Treasury Department and, assuming that the Patent Office is taken, 605 from the Interior Department; from the State Department, the Bureau of Foreign Commerce, we would take 10; from the Department of Labor we would take 78; from the Fish Commission, 38, and, counting what I have estimated would be necessary in the first instance for the Department of Commerce as an additional force of 30 members, it would make the total operating force of this new Department 1,047. The number would be 1,047, as compared with 4,595 who would still be left in the Treasury Department, 3,835 in the Interior Department, and in the State Department 85. I may state that in giving these figures I have not included the Census Bureau, for the reason that the force of that Bureau, under the present circumstances, is a fluctuating force.

Now, in reference to the Patent Office, the committee were of the opinion that, inasmuch as the great work of the Patent Office pertains largely to industrial inventions—inventions relating to commerce, manufacturing, shipping, and all that—it is more germane and has a closer connection and bearing upon the Department of Commerce than upon the Interior Department.

Now, what is the Interior Department, and what has that Department left? The Interior Department was established in 1849. I wish to call the attention of Senators to the fact that when that Department was established in 1849 it was established by transferring other bureaus and divisions from the other departments. The Patent Office business up to 1849 had belonged to the State Department, and it was transferred to the new Department of the Interior. The census work, carried on under the United States marshals, but under the charge of the State Department, was transferred to the Interior Department.

The Patent Office had up to that time been under the State Department, and it was transferred. The Indian Office was transferred from the War Department. The Land Office was transferred from the Treasury Department. The Treasury Department up to that time had charge of the sale of our public lands. The Pension Office was transferred from the War Department. There was a time in our history when the War Department and the Navy Department jointly exercised authority over naval and military pensions. It was afterwards vested in the War Department, and

the War Department, until the Department of the Interior was established, in 1849, continued to have charge of the Pension Bureau.

If you look at the history of the departments you will thus see that the Interior Department, established in 1849, was established simply by a transfer from the other overloaded departments of the Government, bureaus, and divisions, and the part so transferred constituted the main and principal work of that Department. The congestion which had then occurred in the other departments, leading to the establishment of the then new Department of the Interior, exists now to a greater extent, especially in the Treasury Department. It seems that of later years almost everything new under the sun in reference to light-houses, the Marine-Hospital Service, and a lot of matters pertaining to commerce and navigation and immigration have been thrown into the Treasury Department, when, as a matter of fact, they did not pertain to the main and principal functions of that Department.

Mr. President, I feel that perhaps I have taken up the time of the Senate too long on this matter. I think there is a strong public sentiment throughout the country in favor of the establishment of this new Department. I think we need this new Department in order to put ourselves on a parity with the other great commercial and industrial nations of the world. We need this Department in order to place our industrial development and our commercial development under governmental control, so that the various industries of this country, the commercial and manufacturing industries, and shipping industries, and our merchant marine, can have that governmental guidance and governmental assistance which are now so well performed by the Agricultural Department for the agricultural interests of the country.

I wish to say, further, in this connection about the bill that personally I claim no credit for it. The bill was originally prepared by the worthy Senator from Maine [Mr. Frye], who so ably presides over the deliberations of this body. He prepared the bill and, I think, reported it favorably in the Fifty-fifth Congress. The present bill is simply a slight elaboration and amendment of that bill. The idea came from the Senator from Maine originally, and the committee have now simply presented his bill to the Senate with some amendments and changes.

The public demand for this legislation has not only been so great as to call the attention of Senators to it, but it also called the attention of our new President to it. Senators will remember that in his annual message to Congress he highly recommended the establishment of this new Department.

I have aimed to take up as little time of this body as possible. I wish to say in conclusion that I sincerely trust everyone who is in favor of this Department of Commerce will allow us to get to a vote on the bill to-day. Other matters of great importance are coming up, the Philippine tariff, the Cuban tariff, and other questions that will lead to great debate, and I shall be very glad if the Senate will allow a vote to be taken on this bill to-day.

Mr. PLATT, of Connecticut. May I ask the Senator from Minnesota if he has considered the question, and whether he would be willing to agree to an amendment to eliminate the Patent Office from the bureaus which it is proposed to transfer to the new Department?

Mr. NELSON. Speaking for myself—I am not authorized to speak for the committee, but personally I should have no objection. I think this Department of Commerce could do good work and exist well without the Patent Office. But I prefer, in the absence of instructions from the committee, to have the question submitted to the Senate.

Mr. PLATT, of Connecticut. Mr. President, I do not wish it to be understood that I am opposed to this bill because I suggest that it be amended by striking out the transfer of the Patent Office to this new Department. I am certainly in favor of the bill. I think a Department of Commerce is needed and has been needed for many years. I think it can be made of immense value to the country and the industries of the country; its commerce by land and by sea; its manufacturing and other industries, which not only build up the country, but upon which the country depends for its prosperity.

I make these remarks in order that there may be no misapprehension on account of what I shall say about the Patent Office. I do not know that it is necessary that I should elaborate upon that subject. The Patent Office is nominally connected with the Interior Department. It is to a certain extent an independent bureau or department. The Commissioner of Patents reports by law to Congress.

The chief connection at the present time between the Patent Office and the Interior Department is that the Secretary of the Interior has a supervisory power over the administrative action of the Commissioner of Patents. I think that by statute all appeals from the Commissioner of Patents upon the issuance of patents, the issuance of trade-marks, in interference cases, and in all matters relating to the issue of

patents, have been taken away from the Secretary of the Interior and jurisdiction has been vested in courts in the District of Columbia.

But the inventors of the country who do their business through the Patent Office have become accustomed to it where it is, and in connection with the Interior Department. There is quite a body of legislation which determines and specifies the connection which exists between the Patent Office and the Interior Department. It does not overburden the Interior Department, and I think is more properly connected with that Department than it would be with the new Department.

The new Department is specially and particularly to devote its attention to the commerce of the United States and to the articles which form the commerce of the United States. The connection between the granting of patents and the commerce of the United States is at least very remote. The Patent Office issues patents for inventions. They are in the nature of contracts between the Government and an inventor by which there becomes vested in him the right to use his invention for a limited time. Invention and letters patent have no immediate relation to commerce. It is only when some article for which a patent has been granted is manufactured and then transported from the place of manufacture to the place of use that it comes at all within the jurisdiction of commerce.

Therefore, the relations between the Patent Office and the Interior Department having been long established, being well understood, it being no burden upon the Interior Department, and relating, if at all, only in the most remote degree to commerce, I hope the committee will agree to an amendment striking that clause out of this bill. If hereafter it should be thought wise to transfer it, that could be done, but perhaps I may express the opinion that it would be more for the interest of the new Department, more for its practical organization and development, not to have too much work thrust upon it at the outset.

Mr. NELSON. Mr. President, after conferring with several of the members of the Committee on Commerce, such members as are here on the floor, I think I shall make no opposition to striking out of the bill the provision for the transfer of the Patent Office.

Mr. PLATT of Connecticut. If it be in order, then, I would move that the words "the Patent Office," be stricken out from line 16 on page 3. I do not know that it is referred to anywhere else in the bill.

Mr. NELSON. No; nowhere else.

The PRESIDENT pro tempore. The Senator from Connecticut offers an amendment, which will be stated.

The SECRETARY. In line 16 of the new print on page 3 it is proposed to strike out the words "the Patent Office."

Mr. VEST. What are the words?

The SECRETARY. "The Patent Office."

The PRESIDENT pro tempore. Without objection, the amendment will be agreed to. It is agreed to. Are there further amendments?

Mr. SPOONER. Mr. President, I wish to attract the attention of the Senator having the bill in charge to the language of the proviso on the seventh page, beginning at line 11:

And provided further, That all officers, clerks, and employees now employed in any of the bureaus, offices, departments, or branches of the public service in this act transferred to the Department of Commerce are each and all hereby transferred to said Department at their present grades and salaries, except where otherwise provided in this act, and they shall continue in office and employment as if appointed under this act until otherwise provided by law.

Does not the Senator accomplish all that ought to be accomplished and eliminate a possible question by striking out all after the word "act," striking out the words "and they shall continue in office and employment as if appointed under this act until otherwise provided by law?"

Mr. NELSON. I can see no objection to striking out those words. I do not think it would militate against the purpose of the bill.

Mr. SPOONER. No; your purpose is to secure a transfer?

Mr. NELSON. I want a transfer made of these employees just as they are.

Mr. SPOONER. Without any provision of law which might be construed to continue them at their salaries and grade?

Mr. NELSON. Certainly. That was not my purpose at all.

Mr. SPOONER. I am satisfied it was not.

Mr. HALE. It would be better to let the clause go out.

Mr. NELSON. Yes; I will let it go out.

Mr. SPOONER. In line 17, after the word "act," I move to strike out the words "and they shall continue in office and employment as if appointed under this act until otherwise provided by law."

The PRESIDENT pro tempore. Will the Senate agree to the amendment proposed by the Senator from Wisconsin?

The amendment was agreed to.

Mr. NELSON. There is an amendment pending offered by the junior Senator from Massachusetts [Mr. Lodge].

The PRESIDENT pro tempore. The Secretary will read the pending amendment offered by the committee.

The SECRETARY. In section 4, line 11, page 3 of the new print, after the word "Statistics," the Committee on Commerce report to strike out the words "and the United States Coast and Geodetic Survey."

Mr. NELSON. Let that amendment be passed over for the present. There is another amendment, an amendment offered by the Senator from Massachusetts [Mr. Lodge], that is pending, to which there is no objection.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to insert at the end of the bill the following, as a new section:

SEC. —. A person, to be designated by the Secretary of State, shall be appointed to formulate for the instruction of consular officers the requests of the Secretary of Commerce, and to prepare from the dispatches of consular officers, for transmission to the Secretary of Commerce, such information as pertains to the work of the Department of Commerce, and such person shall have the rank and salary of a chief of bureau, and be furnished with such clerical assistance as may be deemed necessary by the Secretary of State.

The PRESIDENT pro tempore. The question is on the amendment which has just been read.

Mr. NELSON. I want to explain to the Senator from Wisconsin, as he was not here at the time the amendment was offered—

Mr. SPOONER. I understand it and I do not like it. I can not say that I am satisfied with the amendment offered by the Senator from Massachusetts [Mr. Lodge]. I do not object to the creation of a new bureau in the State Department for the purpose, under the direction of the Secretary of State, of carrying out the provisions of this act so far as they relate to the proposed Department of Commerce; but I think it is a very peculiar proposition that a subordinate in the State Department should be required by law to formulate instructions to consular officers based upon requests of the Secretary of Commerce upon the State Department for statistical information furnished by consuls.

It seems to me that the Secretary of Commerce, when he has occasion to communicate with the State Department, should communicate with the Secretary of State. I think there should be some elasticity in this bill in that respect, which would be wanting in it if this amendment were adopted.

The bill is well drawn, in the first place, without the amendment, in my opinion. It might be improved, probably, by adopting so much of the amendment proposed by the Senator from Massachusetts as provides for an additional bureau. To that I have no objection whatever. But primarily a consul is a commercial agent, he is not a diplomatic functionary, although it is true that sometimes he does perform sub modo diplomatic or quasi-diplomatic functions. This bill, however, provides for reports by consuls to the Secretary of the Department of Commerce only as to statistical information gathered having relation to our foreign commerce. It says:

And all consular officers of the United States, including consul-generals, consuls, and commercial agents, are hereby required, and it is made a part of their duty, under the direction of the Secretary of Commerce, to gather and compile, from time to time, useful and material information and statistics in respect to the commerce, industries, and markets of the countries and places to which such consular officers are accredited—

Mr. PLATT, of Connecticut. Where is the Senator reading from?

Mr. SPOONER. I am reading from page 5.

Mr. NELSON. Will the Senator allow me to interrupt him right there?

Mr. SPOONER. In a moment. It proceeds—

and to send reports quarterly, or oftener if required, of the information and statistics thus gathered and compiled, to the Secretary of the Department of Commerce.

Mr. NELSON. I want to say to the Senator he is reading from an earlier print of the bill. The bill was originally in that form.

Mr. SPOONER. How is it now?

Mr. NELSON. The bill was originally in a form that required all consular officers to make reports relating to commercial matters directly to the Department of Commerce. The Senator from Massachusetts [Mr. Lodge], after conferring with the State Department, came to the conclusion that oftentimes in consular reports diplomatic matters, or matters of a quasi-diplomatic character, were mixed with commercial matters, and, therefore, in order not to get the two confounded, those commercial

reports from consuls should first be sent to the State Department and edited by that Department before being sent to the Department of Commerce. That is the object, and this amendment was drawn in harmony with that view.

As the bill has been amended, the paragraph from which the Senator has been reading reads as follows:

And all consular officers of the United States, including consul-generals—

Mr. SPOONER. Where does the Senator read from?

Mr. NELSON. From page 5 of the new print of the bill, commencing in line 10—

And all consular officers of the United States, including consul-generals, consuls, and commercial agents, are hereby required, and it is made part of their duty, under the direction of the Secretary of State—

The words "under the direction of the Secretary of State" have been put in. Then the clause goes on—

to gather and compile, from time to time, upon the request of the Secretary of Commerce, useful and material information and statistics in respect to the commerce, industries, and markets of the countries and places to which such consular officers are accredited, and to send, under the direction of the Secretary of State—

There those words have been inserted again—

reports quarterly, or oftener if required, of the information and statistics thus gathered and compiled, to the Secretary of the Department of Commerce.

The amendment now pending is supplemental to those changes. It is to provide somebody in the State Department to revise the commercial reports that come in from our consular officers and eliminate all matters of a diplomatic or quasi-diplomatic character, so as to send only commercial matter to the Department of Commerce.

Mr. SPOONER. I am obliged to the Senator for calling my attention to the amendment. I was not aware of it. It has put the language in a form which makes it altogether acceptable to me, and as the Senate has already adopted the amendment which I had marked as proper to be made in the old draft of the bill, so far as that is concerned I have nothing further to say. I think, however, that the amendment proposing an additional section may be improved upon by making it a little more elastic. It reads:

A person, to be designated by the Secretary of State, shall be appointed to formulate for the instruction of consular officers—

That makes it by law the duty of this particular officer to formulate these instructions—

the requests of the Secretary of Commerce, and to prepare from the dispatches of consular officers, for transmission to the Secretary of Commerce, such information as pertains to the work of the Department of Commerce; and such person shall have the rank and salary of a chief of bureau and be furnished with such clerical assistance as may be deemed necessary by the Secretary of State.

Mr. NELSON. I simply suggest to the Senator that it would meet the objection by inserting there that the work shall be done "under the direction of the Secretary of State." Putting in those words will cover any objection the Senator might have on that point—that he shall do it "under the direction of the Secretary of State."

Mr. SPOONER. I think it would be better to amend the amendment so as to provide that for the purpose of carrying out the provisions of section 5 the Secretary of State is authorized to appoint some suitable officer, who shall have the rank and salary of a chief of bureau, and be furnished with such clerical assistance as may be deemed necessary by the Secretary of State. In other words, whoever is appointed there is to work under the direction and care of the Secretary of State, and his peculiar functions ought not to be prescribed by statute. The Secretary of State might have occasion to call upon some other bureau of the Department, or some other officer, and he ought to be left free-handed. I am perfectly willing that an additional person shall be appointed, or a bureau created, but I do not like the language of the amendment prescribing by law the particular duty of this person. I suppose the Secretary of State could change the heads of the various bureaus or make a redistribution of the functions of the different bureaus, and he ought, as far as possible in that respect, to be left free, just as any Secretary should be, I think. I will draft an amendment, if the Senator is not wedded to this proposition, which will accomplish the same thing.

Mr. NELSON. No; I am not wedded to any particular language. In view of the fact that the Senator from Maine [Mr. Hale] is not disposed to insist upon his amendment to transfer the Coast and Geodetic Survey to the Navy Department, but is content to leave it under the Treasury Department, if no Senator from the Committee on Commerce is opposed to it, I shall be disposed to acquiesce in striking the Coast and Geodetic Survey out of this bill.

Mr. HALE. Let that be done; and if there is any controversy hereafter about it, it can come up by itself.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Minnesota [Mr. Nelson]?

Mr. JONES, of Arkansas. What is the request?

The PRESIDENT pro tempore. To strike out the provision in relation to the Coast and Geodetic Survey.

Mr. NELSON. To leave the Coast and Geodetic Survey where it is, in the Treasury Department. We do not do anything with it.

Mr. BACON. Let the proposed amendment be stated.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Minnesota will be stated.

The SECRETARY. On page 3, section 4, line 11, it is proposed to strike out "and the United States Coast and Geodetic Survey."

The amendment was agreed to.

Mr. GALLINGER. I suggest that the word "and" be inserted after the word "Immigration."

Mr. NELSON. I will move that amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 3, section 4, line 10, after the words "Bureau of Immigration," it is proposed to insert the word "and."

The amendment was agreed to.

Mr. SPOONER. I will move an amendment to the amendment of the Senator from Massachusetts [Mr. Lodge]. In line 2, after the word "formulate," I move to insert the words "under his direction;" so as to read:

A person, to be designated by the Secretary of State, shall be appointed to formulate, under his direction, for the instruction of consular officers, etc.

Mr. NELSON. That is perfectly satisfactory to me.

Mr. SPOONER. "To formulate" is very different from "to formulate under his direction."

Mr. NELSON. That amendment makes the language in harmony with the other provisions of the bill.

Mr. PERTUS. As to the amendment offered by the Senator from Massachusetts [Mr. Lodge], he took great pains to prepare it, and as the bill is going over, I suggest that this amendment also go over with it.

Mr. NELSON. I have been hoping to get a vote on the bill to-day.

Mr. HALE. The Senator from Massachusetts [Mr. Lodge] and I are in entire accord; and if he had not offered the amendment I should have done so. I have no idea that the Senator from Massachusetts, if here, would object to the proposed change. It is in line with what he and I had in view.

Mr. NELSON. There is no objection to it.

Mr. PERTUS. Is it proposed to vote on the bill now?

Mr. NELSON. Yes, sir.

Mr. BACON. Oh, no.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Wisconsin [Mr. Spooner] to the amendment of the Senator from Massachusetts [Mr. Lodge] will be stated.

The SECRETARY. It is proposed to amend the amendment of Mr. Lodge in line 2, after the word "formulate," by inserting the words "under his direction."

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. If there are no further amendments, the bill will be reported to the Senate as amended.

Mr. BACON. Mr. President, I trust the Senator from Minnesota will not ask the Senate to vote upon this bill to-day. It is certainly a very important and far-reaching measure, one which the Senate would doubtless like to see in print and be given an opportunity to examine critically before passing upon it. It is a bill which creates a most important department of the Government, and I trust it may be found consistent with the wishes of the Senator that it may be put in print as it has been amended and go over until some future time.

Mr. NELSON. I appeal to the Senator from Georgia to allow us to take the vote on the bill to-day. I want to say to the Senator—I know he is disposed to do what is fair—that there have been no material amendments made to the bill to-day. I can explain them all in the bill as printed. One amendment has been dropped out about the Patent Office. That was agreed to the other day. We have dropped out the Coast and Geodetic Survey, and there has been a change in phraseology, suggested by the Senator from Wisconsin [Mr. Spooner], to avoid any possibility of any of the employees in the Bureau being transferred or continuing them in office

outside of their present status. Then there has been a slight amendment made to the amendment of the Senator from Massachusetts, which relates simply to consular reports. The Senator from Georgia will be doing me a great favor if he will allow the vote on the bill to be taken to-day. I appeal to him for this reason: I should have no objection to its going over, but the Senator is familiar with the proceedings in the Senate. The Philippine tariff bill will be called up to-morrow; it will lead to a great deal of discussion. And there are other important matters coming up which will also lead to a great deal of debate. So if this bill is now to go over its passage may be very much delayed.

MR. CLAY. Mr. President, I will state to my colleague, with the permission of the Senator from Minnesota, that I think this bill has been most maturely considered by the Commerce Committee, and by the subcommittee, and the amendments which have been adopted have been practically unanimously agreed to. I believe that my colleague, on a few minutes' investigation, will agree that the vote shall be taken on the bill to-day. I do not believe that anything can be lost by it. There has been practically no opposition to this bill in the Commerce Committee. In fact, I believe that the members of the Commerce Committee, with one or two exceptions, who were not present, voted for the passage of the bill. For my part, I have considered it maturely. I am in favor of the passage of the measure, and certainly it has commended itself to my favorable consideration. It provides for reports as to foreign markets and other matters, which doubtless will be of great benefit to the people of the United States. So I hope the Senator from Minnesota will be permitted to get a vote on the bill to-day, Mr. President.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Massachusetts [Mr. Lodge], as amended on motion of the Senator from Wisconsin [Mr. Spooner].

The amendment as amended was agreed to.

MR. BACON. Mr. President, the distinguished Senator from Minnesota [Mr. Nelson], and my no less distinguished colleague [Mr. Clay], it seems to me urge, without any very great reason for it, the immediate consideration of this bill with reference to its passage. The Senator from Minnesota appeals to me as a personal favor. Why, Mr. President, this is not a personal matter; this is not a matter which relates to the Senator personally in any way, nor to his section or State, and therefore there is no ground upon which a personal appeal can be made. Nor, Mr. President, is there any suggestion of a reason which makes it imperative that this bill should be disposed of to-day. If there is practically no opposition to the bill, there is certainly no reason why there should be an apprehension of undue delay hereafter.

I think in a matter of this kind it is due to the Senate that such a bill, before it is put on its passage, should be in print, so that we may all see it and read it. I expect to vote for the bill, but at the same time I want to have an opportunity to examine it as it now stands. Some of these amendments have been made verbally. A number of amendments were made on the motion of the Senator from Massachusetts [Mr. Lodge] the other day, not one of which was reduced to writing, but made verbally from his seat. They ought to be in print.

MR. SPOONER. The bill has been reprinted.

MR. BACON. That may be true; but the bill as it now stands has not been printed.

MR. NELSON. Will the Senator allow me a word?

MR. BACON. Certainly.

MR. NELSON. The amendments of the Senator from Massachusetts, except the one amendment acted upon to-day, are incorporated in the bill as it was reprinted. I want to say further to the Senator that the bill has been under consideration on three different days, and the amendments which to-day have been made to the bill are simple amendments. I think the Senator can see the force of them at a glance. I hope he will agree that the vote may be taken to-day.

MR. BACON. Mr. President, I do not oppose a vote at this time for the purpose of antagonizing the bill. I repeat I expect to vote for it, but at the same time I desire to have the opportunity to see the bill as it will be when put upon its passage.

MR. NELSON. Will the Senator agree that we may take a vote on the bill to-morrow at 2 o'clock?

MR. BACON. I am perfectly willing that the Senate should agree to that. I do not know whether my special agreement would be of any advantage, but, if the Senator so desires, I have no objection to the Senator having an agreement of the Senate to that effect, if he can get it.

MR. VEST. I should like to ask the Senator in charge of the bill what was done in relation to the Coast and Geodetic Survey?

MR. NELSON. That was dropped out of the bill.

MR. VEST. And left in the Treasury Department?

MR. NELSON. Yes; left in the Treasury Department.

Mr. VEST. What was done with reference to the Patent Office?

Mr. NELSON. That was dropped out, and the Patent Office is to be kept where it is, in the Interior Department.

Mr. COCKRELL. What about the Census Office?

Mr. NELSON. That is left in the bill.

Mr. VEST. Mr. President, the other day—I could not hear distinctly on account of the talk that was going on all around me here—but in a colloquy which took place between the senior Senator from Maine [Mr. Hale] and the Senator from Minnesota [Mr. Nelson] I understand there was some sort of an agreement that the Coast and Geodetic Survey should be transferred to the Navy Department. It seems now, however, as I am informed by the senior Senator from Maine, there was some sort of an agreement or understanding that it should be only left in the Treasury Department, where it is now.

I want to state this—and I have a right under the rules to state it—in the Committee on Commerce, from which the bill came, I voted for the bill with some reluctance, because, as a general proposition, I am opposed to multiplying offices. I reluctantly agreed to vote for it, because I remember a remark made at one time by Ben Hardin, of Kentucky, in my boyhood, in regard to offices, which I have never forgotten. He said, “If you want to have more martins, put up more martin boxes.” The proposition he was discussing was in regard to making the judiciary in Kentucky elective in the constitution of 1849. When you create more offices you will always, as a matter of course, find people to fill them.

There are occasions in which it is absolutely necessary to furnish instrumentalities for the business of the Government. We have arrived at a stage where it is absolutely necessary, in my opinion, to increase the departments. Let me say, as a corollary to that proposition, it is necessary to build new edifices for the accommodation of the departments. We pay now annually over \$180,000 rent in this city for houses and rooms which are occupied by the departments. When we are selling our bonds at 2 per cent interest, we pay these enormous rents directly in the teeth of all correct business principles.

I think there ought to be two more departments of the Government. We ought to have a Department of Commerce. In my judgment it is absolutely necessary. But when it comes to the question as to where the Coast and Geodetic Survey ought to be, I am unequivocally opposed to recognizing that it is now in the proper Department. The Treasury Department in its special functions has no more to do with the Coast and Geodetic Survey than a steamer on the ocean has to do with the planting of a field of corn.

This Bureau ought to be taken out of the Treasury Department. The Treasury Department now, as every Senator knows, is overloaded to the verge of absurdity. The Interior Department, although we took one great bureau from it—that of Agriculture—is now four departments in one, and the want of accommodation in the way of room for these departments has become so apparent that no Senator here will rise and say that the accommodations of the officers of the Government in those departments are decent or comfortable.

If any Senator will point out to me how the Coast and Geodetic Survey is in any way cognate or appropriate in the Treasury Department, I shall be very much obliged to him. I understand the proposition now is to put it in the Navy Department. It seems to me the Navy Department is large enough now. We hear continued complaints that the building in which it is located is insufficient for the accommodation of the service. Then why should this Bureau, not connected with the Navy, not necessary to the functions of the Navy, be taken from the Department of the Treasury and put in that of the Navy?

I do protest against the putting of the Coast and Geodetic Survey with the financial department of the Government or putting it with that of the Navy.

Mr. BACON. I have not participated in the debate, although I have given attention to what has been said by the Senator in charge of the bill and by those more directly connected with it as members of the committee. I should like to know upon what theory the Census Bureau is to be put into the Department of Commerce. If it relates to it in any manner I confess my inability to see where that relationship is found, and I should like for the distinguished Senator from Minnesota to tell us upon what theory it has been deemed proper that a Department of Commerce should have charge of a census bureau.

Mr. NELSON. I think the Senator from Georgia was not in the Chamber or he would not have asked this question, for I covered that ground in my general remarks upon the bill.

On looking over the statistical work of our different departments we find it scattered. There is in the Department of State a statistical department, called the Department of Foreign Commerce, which compiles statistics from our consular

reports. Then there is in the Treasury Department a statistical bureau, and the Senator from Georgia is familiar with that.

The Census Office is wholly a statistical office, gathering and compiling vital statistics and statistics as to our commerce, our manufactures, our shipping, and everything that pertains to the industrial development of this country. It occurred to the committee, as it has to me, that there is a great deal of duplication in the statistical work, and that it would be better to get the statistical work all grouped in one department, to wit, the Department of Commerce, which relates to commerce and to our industrial development, manufacturing, shipping, and fishing interests. By getting the statistical bureaus together by and by some Secretary of the Department of Commerce, after having observed the workings of the different bureaus, will be able to prepare and formulate a plan or programme for a future Congress by which the statistical work can be done under one head and as one work, so that when we come to look up statistical matters we can find them in one publication.

In the Department of Labor, which is to be transferred to this new Department, there is a good deal of statistical work, and we have in the Agricultural Department a statistical division. Now, if we group all the statistical work together under one executive head, whether in the State Department, the Treasury Department, the Department of Labor, or the Census Office, we can by and by so adjust matters relating to statistics as to have our statistics taken as an entirety and to have our statistical work furnished us in one compilation. Then, when we come to look up foreign commerce, we shall not have to look to the State Department for the publication. When we come to look up other statistical matters, we shall not have to look to the Treasury Department. When we come to look up the matter of vital statistics and labor statistics and other commercial and industrial statistics, we shall not have to look to the Census and Labor bureaus. I think if my friend from Georgia were at the head of the new Department—and I should be glad to see a man of such ability at its head—one of the first things he would consider would be the work of these different statistical divisions, and he would endeavor to see if it were not possible to formulate some plan or programme by which they could work in harmony and in entirety, so as to give to Congress the results in one compilation and one publication instead of in a variety of publications.

Mr. BACON. I simply desire to ask the distinguished Senator whether the programme which he has outlined is one in anticipation in its completeness, or whether this bill endeavors to complete it? In other words, does this bill provide for the transfer to this particular Department of these various statistical divisions of the Departments of the Government, or will the State Department still have its statistical bureau and the Treasury Department still have its?

Mr. NELSON. No; they are transferred. The Bureau of Foreign Commerce in the State Department, the Bureau of Statistics in the Treasury Department, and the Census Office are transferred to this new Department, but we could not at this stage formulate any plan for united and harmonious work. That can only be done, or the programme for it outlined, when the three statistical bureaus or divisions are grouped together under one head and in one department, where their workings and their work can be considered and plans outlined for harmonious and united work.

I have no plan in view, and at this stage it seemed to me that all we could do was to transfer these Bureaus at this time and group them under one executive head, and then let the future decide whether we could not get the statistical work into one harmonious whole, to the advantage of the Government in the matter of expense and the advantage of the Government and ourselves in the matter of securing information.

Mr. BACON. I desire to say, in justice to myself, that the Senator has made a very clear statement and has suggested to me a reason which had not occurred to me before. I think it is highly proper that the statistical bureaus should, to some extent or to a very great extent, be put under one general control. Whether that control ought to be under the Department of Commerce or under some other Department—the Department of the Interior, for instance—I do not think makes any material difference, except so far as practicable to equalize the labors of the different great Departments of the Government.

Mr. CLAY. Mr. President, in appealing a while ago to my colleague to permit a vote on this bill to-day I thought he was in thorough sympathy with the bill and that he had considered it maturely. I did not know that he wanted more time to look into it.

Now, I agree with what the Senator from Missouri has said. I was a member of the subcommittee of the Committee on Commerce, which made a favorable report on the bill. If Senators will examine the Congressional Record, they will find that when the Department of Agriculture was established members of the Senate stated on the floor that it would be an unnecessary expense, but I doubt if there could be obtained a single vote in this body to-day to repeal the law creating that Department.

This country is growing all the time, and, as the Senator from Missouri has said, we need a Department of Commerce.

We looked into this matter most carefully. We found that the Treasury Department was overcrowded, and we took from that Department and brought into this new Department such bureaus as ought, in our judgment, to be transferred. We likewise went to the Interior Department, Mr. President, and if Senators will take the fifth section of this bill and read it, which is the real gist of the whole bill providing for the establishment of a Department of Commerce, I can not possibly see how any Senator can oppose it. I ask unanimous consent that the fifth section be printed in the Record as a part of my remarks.

The section is as follows:

SEC. 5. That there shall be in the Department of Commerce a bureau to be called the Bureau of Manufactures, and a chief of said Bureau, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive a salary of \$3,000 per annum. There shall also be in said Bureau one chief clerk and such other clerical assistants as may from time to time be authorized by Congress. It shall be the province and duty of said Bureau, under the direction of the Secretary, to foster, promote, and develop the various manufacturing industries of the United States, and markets for the same at home and abroad, domestic and foreign, by gathering, compiling, publishing, and supplying all available and useful information concerning such industries and such markets, and by such other methods and means as may be prescribed by the Secretary or provided by law. And all consular officers of the United States, including consuls-general, consuls, and commercial agents, are hereby required, and it is made a part of their duty, under the direction of the Secretary of State, to gather and compile, from time to time, upon the request of the Secretary of Commerce, useful and material information and statistics in respect to the commerce, industries, and markets of the countries and places to which such consular officers are accredited, and to send, under the direction of the Secretary of State, reports quarterly, or oftener if required, of the information and statistics thus gathered and compiled, to the Secretary of the Department of Commerce.

I should not have appealed to my colleague to permit a vote on this measure to-day but that I thought he had maturely considered it. It has been before the Senate for several days; but, of course, if the Senator has not had time to examine the bill carefully, I would not appeal to him to allow a vote to-day. My reason for doing so was simply that I thought he thoroughly understood it.

MR. BACON. I just simply admit that I do not thoroughly understand it, and I want to understand it before I vote on it. I am not the only Senator who occupies that position. I am in accord with the proposition that we should have an additional department. I expect to vote for this bill, but I desire to read it; and if I have the right so to do, I shall ask that a vote be not taken to-day. I am perfectly willing that a vote shall be taken to-morrow. Of course I have no right to make an agreement of that kind; but if the Senate sees proper to make it, I shall have no objection.

MR. PERTUS. I desire to inquire of the Senator in charge of the bill what is the exact meaning of the words on page 3, line 19, "The Department of Labor." What is the intention of those words?

MR. NELSON. It is called a department, but it is not an executive department. Let me call the Senator's attention to the Agricultural Department. It was called a department for years, but it had only a Commissioner at its head. It was not until 1889 that it was made an executive department. Now, this is called the Department of Labor, but it is not an executive department. It is really an independent department, not belonging to any department, standing by itself.

MR. PERTUS. It is an independent department, standing by itself, called a department?

MR. NELSON. It is not an executive department.

MR. PERTUS. I understand, but the purpose of this bill, so far as those words are concerned, is to transfer all the duties of that department to the new one?

MR. NELSON. Yes, sir; but leaving the work of the department, as well as the force and everything else, undisturbed.

MR. PERTUS. Had you not better have two words to mean different things? You have a department in a department. That does not sound very well.

MR. NELSON. I know, but the misfortune is this, I will say to my friend the Senator from Alabama: In the law it is to-day called a department—the Department of Labor—but it is not an executive department, and the head of it is not a member of the Cabinet. It is technically really an independent bureau. Before the Commissioner of Agriculture became a Cabinet officer we had a Commissioner of Agriculture, and he presided over what we called in law the Department of Agriculture. It was called a department long before we got a Secretary who was a member of the Cabinet. The law making it an executive department was enacted in 1889, if I remember it aright, when it was for the first time made an executive department and the head of it a Secretary. Before that he was called the Commissioner of Agriculture and the department was called the Agricultural Department.

MR. PERTUS. Then the purpose of this bill, so far as those words are concerned, is that the Department of Commerce shall absorb the Department of Labor?

MR. NELSON. It shall absorb it in this way: It shall be like all these other divisions

and bureaus of the public service—transferred to it under that executive head, but it does not contemplate the dismantling of the Department of Labor. It does not contemplate changing the functions of it or at all disturbing the force. The bill simply places it in the Department of Commerce, so that its work relating to the labor interests of the country (and a good deal of its work is of a statistical character) may articulate and work in harmony with the other bureaus and divisions of the new Department.

Mr. PETTUS. I do not desire to discuss the bill; I merely wanted that information for the present, but I do desire that the bill shall go over.

Mr. NELSON. In view of the request made, I ask unanimous consent that we may take a vote on the question of the passage of the bill to-morrow at 2 o'clock.

Mr. FORAKER. At what hour?

The PRESIDENT pro tempore. Two o'clock.

Mr. PETTUS. I may as well say that I can not agree to that.

Mr. NELSON. Would any other hour to-morrow, or any other day, suit?

Mr. PETTUS. I do not see the necessity of pressing the pending bill in this way. Although it is a measure much favored, still I think it ought to take the ordinary course. When gentlemen want to discuss and examine a measure, there should be no attempt to press it to a vote in a few days. I want this bill to go over. I do not know that I shall vote against the bill as a whole, because I am in hopes there will be some amendments added to it which will make it palatable to some of us who do not like it in its present shape.

The PRESIDENT pro tempore. If there be no further amendments, the bill will be reported to the Senate as amended.

Mr. PETTUS. There is an amendment pending which has not been acted upon.

The PRESIDENT pro tempore. What amendment is that?

Mr. PETTUS. It is an amendment to strike out certain words in line 11 on page 3. A motion to that effect was made at the last session of the Senate, and it is so printed in the bill.

Mr. HALE. That has been voted on to-day.

Mr. NELSON. It has been acted on.

Mr. PETTUS. I have not heard it acted upon, and I have been here watching it all the time.

The PRESIDENT pro tempore. Every amendment which has been proposed up to this time has been acted upon.

Mr. COCKRELL. I move, in line 15, page 3, after the word "Department," to strike out the words:

And that the Census Office and all that pertains to the same be, and the same hereby are, transferred from the Department of the Interior to the Department of Commerce, to remain henceforth under the jurisdiction of the latter.

I understand the Patent Office has already been stricken out. It leaves in the Census Office. I fail to see any reason on earth, above it, or beneath it, why the Census Office should be put under the Department of Commerce. It is an office which only once in every ten years takes the census of the living and of such things as may be prescribed by Congress, and it does it in obedience to the Constitution. Now, why should that be placed under the Department of Commerce, which has not a solitary thing to do with it? It primarily takes only the population and the necessary statistics in connection therewith, and it is not done annually; it is done only every ten years. It does not affect the project of the Senator from Minnesota to have all the statistical bureaus consolidated. The Census Office is not, in the strict sense of the word, a statistical bureau which gives information every year. It gives it only every ten years. Then it has to have a very large force, and as soon as the work is done the great bulk of that force is discharged.

Now, you put them together and consolidate a number of these offices, and the result will be that the first time the census is taken after the offices are consolidated the entire force of clerks put into it will be kept there, and it will add millions of dollars to the expenses of the Government. You can not avoid it. As it is now, every ten years the census is taken. The force is employed for two or three years, and then discharged. There is no further expense—that ends it. We have been limiting the operations of the Census Office. We limited it to three years. The present Director of the Census will complete the work within the time prescribed by Congress, and then the great body of clerks will be discharged, and there will be no necessity for this Bureau being under the Department of Commerce. You have already provided enough to keep the new Secretary busy. You already have enough business before him to make the new Department as great as any one of the other Departments, and why insist upon incorporating that which is not kindred in any of its labors or duties or the results of its labors? I hope the words will be stricken out.

The PRESIDENT pro tempore. The Senator from Missouri [Mr. Cockrell] offers an amendment, which will be stated.

The SECRETARY. In line 15, page 3, section 4, after the word "Department," it is proposed to strike out the words:

And that the Census Office, and all that pertains to the same, be, and the same hereby are, transferred from the Department of the Interior to the Department of Commerce, to remain henceforth under the jurisdiction of the latter.

Mr. ALLISON. Mr. President, I hope the amendment proposed by the Senator from Missouri will be adopted. We have never heretofore made provision for the Census Office in any regular bill relating to a department. It is usual, and has been for many years, to prepare a separate bill each ten years in which it is provided how the census for the decennial period shall be taken. In those bills heretofore we have provided that the census shall be under the Secretary of the Interior. Now, when we come to deal with the census question, if it shall then appear that it is better to assign it to the new Department, the Department of Commerce, there will be no objection. But it seems to me we have already provided very amply for this Department without gathering into the bill creating it miscellaneous legislation which heretofore has been provided for only once in ten years. I suggest to my friend from Minnesota that he allow this to pass by and that it be provided for when we provide for taking the next census.

Mr. McCUMBER. Mr. President, I should like to ask the Senator from Minnesota whether it is not a fact that five-sixths of the work that is to be accomplished by this new Department is work which is now being accomplished by the Census Bureau; and as to the statistics that we are supposed to secure from this new Department, could we not to-day get nine-tenths of those statistics from the Census Bureau? It seems to me that the Census Office, as a single department, to-day is more important really than the new office which is about to be created; and we are asked to make that merely a department under the general Department of Commerce.

That being the case, it seems to me we are taking one of the old-established departments and practically destroying it, placing it under another department as a mere wing; the more important made the least important in this bill.

Not only that, but I understand there is a feeling which has been expressed by members of the Senate as well as by members of the House that the Census Bureau should be made permanent; and if it is made permanent we would be able to get from that department the statistics required, and it would be the proper department to go to. It would be the department which would have the gathering of statistics and facts concerning any matter from the very beginning, and would be the proper department to which to go to secure what information we desire. I myself can not see any good reason for swallowing up the Census Office practically in the new Department of Commerce.

Mr. TELLER. Mr. President, unless the debate is carried on so that we on this side can hear, we shall be under the necessity of asking that the matter go over until to-morrow, that we may read in the Record what Senators have said. I do not believe a Senator on this side of the Chamber has heard a word of what was said by the Senator who has just taken his seat. That was probably due to the noise and confusion in the Chamber.

Mr. NELSON. Mr. President, I do not intend to reargue this matter. I simply wish to call the attention of Senators to the fact that the Census Bureau is now under one of the Executive Departments. It is a part of the Interior Department. In transferring it to this Department, it was not our purpose at all to have anything to do with the other question which has been suggested here, as to whether the work of the Census Bureau should be made permanent. The census, as the Senator from Missouri has well said, is taken only once in ten years. That is the fact in the field, but the compilation and publication go on. I dare say some of the work of publishing the volumes and indexing them and delivering them to Senators will continue for one or two years longer, although I am not familiar with that subject.

The question whether or not the Bureau shall be permanent never entered into my consideration or into the consideration of any member of the Committee on Commerce, I think. We simply looked at the question in the light of the fact that the great work of the Bureau is of a statistical character. It is not all a matter of population. When it comes to the matter of population and vital statistics, of course our plan is to take those statistics once in ten years, but when it comes to other statistics, relating to our manufacturing development, our shipping interests, our navigation, our merchant marine, our commerce at home and abroad, those are statistical matters which can be gathered from time to time. They are gathered, to a large extent, by the Bureau of Statistics from year to year.

Now, personally, for myself I am not tenacious at all about this or any other question before the Senate in reference to this bill. I am simply anxious to get a bill

passed establishing a Department of Commerce, which shall have charge of our commercial and industrial interests. If Senators are of opinion that the work of the census is not more germane and pertinent to the Department of Commerce than to the Interior Department, I have nothing to say. I submit the question to the judgment of the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Missouri [Mr. Cockrell].

The amendment was agreed to.

Mr. TELLER. I wish to call the attention of the Senator who has this bill in charge to page 3, where it is provided that the Bureau of Foreign Commerce, now in the Department of State, shall be transferred to this new Department. Then later, on page 4, there is this provision:

And the Chief of said Bureau of Foreign Commerce shall be the assistant chief of the said Bureau of Statistics.

I want the Senator to tell me what is the object of providing that the head of one bureau shall be the assistant of another. It seems to me to be a remarkable provision, and one which it is not very safe to allow to go in. But if the Senator can give me a good reason, I will not move to strike it out.

Mr. NELSON. The reason is this, if the Senator will allow me: There is in the Department of State a statistical bureau which was called the Bureau of Statistics. I think one or two years ago the name was changed and it was called the Bureau of Foreign Commerce. The work of that Bureau is mainly of a statistical nature, and it is confined to our foreign commerce. It consists to a large extent in compiling statistics and information gathered through our consular representatives abroad.

Now, it was the plan of the bill to consolidate that statistical work with the Bureau of Statistics in the Treasury Department, and it occurred to the committee that in transferring that work to the Bureau of Statistics, it being at the head of one branch of the statistical work, it was well to make him the assistant chief. Now, this does not intend to change the salary, or the scope of it. It simply makes him the assistant chief, with the same salary he is getting now. It does not change his salary or his work in any material particular. It leaves him to work under the direction of the Chief of the Bureau of Statistics, placing him as the next assistant, because of the fact that he brings to that Bureau all the work that appertains to our foreign commerce, and he is supposed to be more familiar with that particular branch of the work.

Mr. TELLER. Mr. President, the Bureau of Statistics, which is now in the Treasury Department, is to be transferred to this Department, and then, according to the Senator's statement, the Bureau of Statistics in the State Department is to be transferred also, and we are to have the two bureaus in this new Department. The trouble now with statistics in the United States is that we have a Bureau of Statistics in the Treasury Department and practically a bureau of statistics in other divisions as well as in other departments. We have a Bureau of Statistics under the Director of the Mint, which is in the Treasury Department. We have a Bureau of Statistics in the Agricultural Department and one in the Interior Department. In other words, we have just as many bureaus of statistics as we have departments, and some more; and I will guarantee that when these bureaus pass upon the same identical question no two of them have, in ten years, been able to agree to the same thing. You can find statistics on the same subject coming from the same department that will not agree within sometimes a million or two of dollars or within as many tons, if it is a question of tons or bushels or whatever it may be.

There is not any statistical bureau in this Government in the strict and proper sense of the term. The Statistical Bureau in the Treasury Department have no right to revise the statistics of the Interior Department, nor even of the Treasury Department under another bureau. The Director of the Mint puts out statistics that do not very often agree with the statistics of the Statistical Bureau of the Treasury.

I have not been impressed, as some Senators have, with the crying necessity for another department, but I have not felt like making any objection to it. About the only consideration that has reconciled me to it was that there might be such a thing as one statistical bureau that might be a bureau worthy of that name.

Now, it appears that the Senator from Minnesota proposes to transfer one statistical bureau from the State Department and to leave it still an existing statistical bureau; and that he proposes to transfer one from the Treasury and leave it a statistical bureau.

Mr. NELSON. Will the Senator from Colorado allow me to interrupt him there?

Mr. TELLER. Certainly.

Mr. NELSON. The plan is not to leave them distinct bureaus. The Statistical Bureau from the State Department is to be consolidated with this other bureau.

Mr. TELLER. Not by the terms of this bill.

Mr. NELSON. Yes.

Mr. TELLER. Oh, no. It may be that that is what the Senator means, but that is not what is done. I will call the Senator's attention to it. I am not doing this in any hostility to the bill, but simply because we ought to make this measure as perfect as we can.

Mr. NELSON. Will the Senator allow me to call his attention to the language commencing in line 23, at the foot of page 3, following the semicolon?

That the Bureau of Foreign Commerce, now in the Department of State, be, and the same hereby is, transferred to the Department of Commerce and consolidated with and made a part of the Bureau of Statistics, hereinbefore transferred from the Department of the Treasury to the Department of Commerce.

Mr. TELLER. Well, it is still a bureau.

Mr. NELSON. No; it is consolidated and made a part of it. It is not to be a separate bureau any longer.

Mr. TELLER. If it is to be consolidated that bureau ought to be wiped out. The Senator still recognizes that there is to be a chief of the bureau that exists in the State Department, because that chief is to be the assistant of the bureau that is now in the Treasury Department. How there can be a head of that bureau and the head can be the assistant of the other bureau unless the two bureaus are still to exist I am unable to see. If the Senator means that it is not to continue as a bureau, the language of the bill should be changed.

Mr. NELSON. I call the Senator's attention to another part of the language that I did not read:

And the Chief of said Bureau of Foreign Commerce shall be the assistant chief of the Bureau of Statistics; and it shall be the duty of said Bureau—

The consolidated bureau—

Mr. QUARLES. Where is that found?

Mr. NELSON. I am reading on page 4—

and it shall be the duty of said Bureau—

That means the consolidated bureau—

under the direction of the Secretary, in addition to the duties now prescribed by law, to gather, compile, classify, and publish statistical information showing the condition of the foreign and domestic commerce, of the mining, manufacturing, shipping, and fishery industries, and of the transportation facilities of the United States.

It does not intend that there shall be two departments left. It is the aim of the bill to consolidate and avoid the duplication of work.

Mr. TELLER. I imagine, then, from what the Senator says, that what he proposes is to legislate that chief, when he consolidated the bureaus, into the place of assistant, but that he does not do.

Mr. COCKRELL. Not at all.

Mr. TELLER. That is what he wants to do. He has not done it. There will still be two bureaus there. One comes from the Department of State and the other from the Treasury Department.

Mr. COCKRELL. And there will be chiefs of each of them.

Mr. TELLER. There will be chiefs of each of them, but one will have a dual relation, because he will be the chief of one bureau and the assistant chief of the other. Now, if the Senator means that there shall not be two bureaus, he must change the language and put it so that we shall not have two bureaus.

In addition to that, I supposed, from reading this language, that it was the intention to keep the two bureaus. So I had proposed an amendment of this kind, to strike out all in line 4, after the word "commerce," down to and including the word "Statistics," in line 6. That would do away with the proposition to make the Chief of the Bureau of Foreign Commerce an assistant in the other bureau; but if it is the purpose of the Senator to consolidate those two and make only one bureau, with one head, then he must change the language in some way. I do not know just how to accomplish that purpose.

Mr. NELSON. I will say to the Senator—

Mr. COCKRELL. I suggest to the Senator from Colorado that he move to strike out the words which occur there and to insert—

And shall constitute one bureau, with one chief and assistant chief.

Mr. NELSON. I will say to the Senator from Colorado and the Senator from Missouri that it was certainly the purpose of this part of the bill to consolidate the two existing bureaus into one.

Mr. TELLER. If that is what the Senator wants to accomplish, I shall be glad to have the amendment offered so that we may have a vote on it.

Mr. VEST. I should like to ask the Senator from Colorado a question.

Mr. TELLER. Certainly.

Mr. VEST. The Senator from Colorado has been Secretary of the Interior, and a very able one, I will say. How is it that we have a Statistical Abstract, which includes not only the statistics of the Treasury Department but of all the other departments? I understand that to be the authoritative, general statistical abstract of the Government, and while it is true that the Director of the Mint and some bureau officers report a statistical abstract, they are repeated and sent out authoritatively from the general Statistical Abstract office of the Treasury Department?

Mr. COCKRELL. That goes from the Bureau of Statistics of the Treasury Department.

Mr. TELLER. Yes; that is right.

Mr. VEST. It embraces the statistics of all the departments.

Mr. COCKRELL. But it is nevertheless compiled in the office of the Bureau of the Treasury Department and issued by that one office.

Mr. VEST. That is an authoritative publication for all of the departments, not of the Treasury Department. If I want information about shipping, or the land laws, or the number of fisheries, I simply go to the Statistical Abstract, which is the essence of the reports of all the bureau officers under the head of the Treasury Department.

Mr. COCKRELL. My colleague is exactly right. It is in the Bureau of Statistics of the Treasury Department that it is compiled and published.

Mr. VEST. That is true.

Mr. COCKRELL. We have now about twenty-odd volumes that have been issued. It was about twenty-one or twenty-two years ago when the first Statistical Abstract was issued, and it has been kept up annually ever since.

Mr. TELLER. That is a very valuable document, and, as the Senator from Missouri says, it is issued under the control and direction of the Treasury Department. Some years ago, in making a speech, I quoted from the published report of the Director of the Mint and I was caught up by a gentleman who had the Statistical Abstract. It was on a question of the amount of precious metals produced in a country, and I found between two and three million dollars difference in the Statistical Abstract and in the published report. I had quoted without the book, but I happened to have with me the report of the Director of the Mint, and I turned to it and showed that the discrepancy existed in the published reports of the Government. My attention having been called to it, I found that to be the case in more than one instance.

We have never had, as a rule, a trained statistician in the Treasury Department. By the time we have got a man educated in the Treasury Department so that he knows anything about statistics he is turned out and a new one put in. That has been the rule.

The present statistician in the Bureau of Statistics of the Treasury Department, I think—I say without any discredit to him—had no experience and no particular claim to qualifications to be placed there. He is a man of pretty good ability and industry, and by the time he gets ready to go out and some other person comes in he will be a good statistician. He has done some very good work. I am not going to criticise him at all, but the statistical bureau of the Government of the United States ought to have at its head a man who is a statistician by experience and by nature, because those things go with a man. Every man can not make a statistician of himself, and when he is there he ought to stay there. He should not be removed. It should not be a political office. Then whenever a man takes up a statistical statement, or any conclusion that he may see fit to draw from it, it will have the authority of experience, and, more than that, of learning.

I thought, if the Census Office was turned over to this new bureau, I could see some propriety in having a statistical bureau in the Census Office, and then if the census should be made, as I thought perhaps it would and I was in hopes it would, a permanent bureau, with a limited number of employees in it during the time they were not taking the national census, we could get a fair statistical report on every question.

I do not want to make these criticisms of the statistical work of the Government, which is not perfect by any means, without saying that in my judgment it is as good as the statistical work of any other government in the world. I have taken some pains and I have had some experience with the examination of the English statistics and the French statistics particularly.

I ought to say, in justice to the Statistical Bureau, that I believe our reports stand well abroad. But they are not perfect by any means. They are not what we ought to have, and they are not what we can have if we go at it right. This Bureau is in the place where it ought to be, but there ought not to be two bureaus there, nor ought a man who is at the head of one to be the assistant in another. The head of the Bureau, I repeat, should be a trained statistician. The assistant should be a trained statistician. His employees ought to be trained statisticians. What is the

use of putting a new man in a bureau like that, either at the head or at the foot, I do not care where you put him? You have got to have mathematicians. It is a work which requires the highest possible talent in the many particulars. I want to get that if we can, and I wish to have the bill so framed that there will be no misunderstanding on the subject and so that it will be known that there is to be but one bureau of statistics there.

Now, you can not dispense entirely with what need not perhaps be called a bureau, but a statistical division, in every other department. Every department should have its statistical division, which should be subordinate to the general statistical bureau, so that before the Secretary of the Interior is allowed to send out statistics they should go to the bureau of statistics for revision, and you never will have a proper statistical bureau and proper statistical statements until you get to that condition.

Now, if the Senator from Missouri [Mr. Cockrell] will move his amendment, we will at least accomplish that and have it settled that there is to be but one statistical bureau in the new Department.

Mr. COCKRELL. In line 4, after the words, "the Department of Commerce," I move to strike out "and the chief of said Bureau of Foreign Commerce shall be the assistant chief of the said Bureau of Statistics," and insert:

And the two shall constitute one bureau, to be called the Bureau of Statistics, with a chief of the bureau and one assistant.

Mr. QUARLES. Mr. President, I much regret that I was not in the Chamber when this debate originated. I can not help feeling that we are making a mistake in striking out the Census Bureau from the bill, and when it shall be in order I shall move to reconsider the vote by which the Census Bureau was stricken out.

I concur most heartily in the suggestions just made by my distinguished friend from Colorado [Mr. Teller]. I believe, sir, it is the common experience of Senators here that we are running mad on the question of statistics. Each bureau that we create starts immediately to develop and spread itself and extend its functions, and it begins to reach out directly after statistics, until every bureau that we have is now furnishing statistics that, in my judgment, are crude and, as the distinguished Senator says, unreliable. Statistics are worse than worthless unless they are accurate, because they are misleading.

Now, we have not far to look for the reason of the inaccuracy of statistics that these several bureaus are gathering. The reason is that they are gathered sometimes by volunteers, always by men without experience. They are brought together and collaborated not by trained statisticians but by men who have been selected simply as the head of a bureau, with specific duties imposed upon them. In my judgment, sir, we shall never have any statistics that are reliable until we organize one central bureau and keep it as a permanent organization, with trained men not only at the head but throughout every subdivision.

Now, how are we to arrive at that state of affairs so much to be desired? I venture to say, sir, that if these several statistical bureaus are left attached to the various Departments, you will never be able to consolidate them, because the minute you attack that bureau and undertake to combine it with something else you arouse jealousy, suspicion, and opposition, and the people interested in promoting that bureau come here and oppose the measure.

But I thought I saw, Mr. President, in this bill a convenient and appropriate method of arriving at the conclusion we all desire, namely, by having all these bureaus and the Census, whether it be made permanent or not, put into this new Department, where we may place an organizer who will organize it, as we all desire, into one great, reliable bureau, destroying all jealousy and putting at its head men who are capable of furnishing us statistics which are accurate and reliable.

Now, it is the desire of the Committee on Census, of which I have the honor to be a member, in the near future to present to this body the reasons why there ought to be a permanent Census Bureau instead of having each ten years mere spasmodic work—emergency work. I did not suppose that the question would be anticipated or raised by this bill; but let me call your attention, Mr. President, to what we are doing. Now I ask Senators to look on page 4 of this bill, commencing at line 8.

Before I read this language, let it be remembered that under existing law the present Census Bureau is to complete by the 1st day of July, 1902, and publish, the reports on the four principal topics: Population, vital statistics, manufactures, and commerce. That immediately after that the Bureau is commissioned by law to obtain the statistics regarding mines and mining and report that, and then to take up the subject of crimes, pauperism, transportation, and many other topics that are still after that to be collected and published.

Now, commencing on line 8, let us see what we are asking this Bureau to do.

Mr. TELLER. On what page?

Mr. QUARLES. On page 4. After taking the provision for the Census Bureau out of this bill, see how completely you are providing here for duplicating these statistics.

In addition to the duties now prescribed by law, to gather, compile, classify, and publish statistical information showing the condition of the foreign and domestic commerce, of the mining, manufacturing, shipping, and fishery industries, and of the transportation facilities of the United States.

That is precisely the work that you have devolved upon this Census Bureau, precisely the work that will engage the energies of that Bureau for the next four or five years.

Mr. COCKRELL. It will complete its work by next June.

Mr. QUARLES. My distinguished friend is certainly mistaken, because by the text of the bill it has until the 1st day of July, 1902, to publish the tables regarding four principal topics—population, vital statistics, manufactures, and commerce—four vital points. After that it takes up mines and mining, and is commissioned to make thorough investigation of mines and mining, the number of men employed, the amount of metal removed, and all that subject. After that it then takes up a dozen other topics, as to which it will consume two or three years to properly prepare the statistics.

Mr. FORAKER. Will the Senator allow a question simply for information?

Mr. QUARLES. Certainly.

Mr. FORAKER. Has not the Census Bureau already entered upon the work which the Senator speaks of as contemplated by the law after the four main subjects have been reported upon?

Mr. QUARLES. Certainly.

Mr. FORAKER. They are already engaged in that work at this time?

Mr. QUARLES. Certainly.

Mr. FORAKER. That is what I understood.

Mr. QUARLES. Yes, sir.

Mr. TELLER. Will the Senator allow a suggestion?

Mr. QUARLES. With pleasure.

Mr. TELLER. I understand from perfectly reliable authority that there will be a large force necessarily retained in the Census Office for the next four years.

Mr. QUARLES. Certainly; for five years. If I had time to elaborate that, I think I could show the Senate that five years would not be an inadequate period within which to gather accurate statistics concerning the topics already assigned to this Bureau. Then it will require at least three years to prepare for taking the Thirteenth Census, a gigantic task, because there will probably be 100,000,000 people to be enumerated, an immense increase in all manufacturing and industrial lines, our insular possessions also to come in, with all the great work involved in the preparation to enumerate those peoples over there, who speak a different language, who have different customs, with all the other difficulties that cluster about that work which will suggest themselves readily to any Senator thinking of the subject for a moment.

Mr. BACON. The distinguished Senator will pardon me a moment, if I do not interrupt him unduly?

Mr. QUARLES. Certainly.

Mr. BACON. The presentation the Senator makes of the necessity of a general central statistical bureau is certainly a very strong one. The suggestion I desired to make was this—it is rather an interrogatory—whether it would not be better, if we had this great central statistical bureau, that we should have one of its representatives in each of the departments for statistics relative to that Department only, having a direct responsibility to the general head, the same as we now have in the Department of Justice—a representative in each one of the departments, who is none the less, while being in that Department, a member of the staff of the Department of Justice.

Now, in order that I may not interrupt the Senator again, I wish to say in connection with that thought that it seems to me this presentation in this discussion demonstrates the fact that this bill is not ready for the action of the Senate, and if this particular feature of it has the importance which the debate here evidently discloses it seems to me that instead of relegating it to the future we should deal with it now. If it is important that we should have this great central statistical bureau, then the scheme should be perfected, in order that the end the Senator so forcibly set forth as desirable should be accomplished, not in the remote but in the immediate future.

Mr. QUARLES. Mr. President, in answer to the suggestion of the distinguished Senator from Georgia [Mr. Bacon], I wish to say that the reason I am opposed to allowing statistics to be gathered piecemeal by several departments is that statistics

subserve a different purpose to-day from what they did a few years ago. Formerly statistics were gathered to minister to pride or curiosity, but now, in the evolution of time, they have become a commercial and scientific necessity. Statistics have become a part of the scientific life and existence of all our industrial organizations.

In order to gather these statistics we must have trained men, not so much in the gathering of them as in the combination of the facts so that they may be utilized. In other words, we ought to have one central bureau of statistics, presided over by trained statisticians, so that we may have a photograph, if you please an instantaneous photograph, of the various activities of this nation. You can only secure that by having trained men.

I have taken occasion, Mr. President, to ascertain what course the nations of Europe have been taking in regard to this matter of statistics, and I find that, instead of having the gathering of statistics scattered through various departments, they almost uniformly have one central bureau, and the average term of employment of the statisticians in those bureaus of Europe is about twenty years, whereas in our country no attention has hitherto been given to this matter, as though it were a matter of very little importance. So I would say to my distinguished friend from Georgia the reason we do not want to leave the gathering of these statistics scattered in these several departments is that we want accurate statistics. We want them speedily gathered, because stale statistics are worthless, and I conceive that we would advance the interests of the business world, the industrial world, the scientific world, if we would keep the Census Bureau here in this Department and bring all these other statistical bureaus under the same organizing head that we propose to put in charge of this new Department. Then, without friction, without jealousy, simply with a view to the ascertainment of reliable results, organize one bureau that will do all the work and give us complete satisfaction with its results.

Mr. President, one word more. I want to say to Senators that at a later date it is the policy of your Census Committee to bring to the attention of this body another measure, which I think will be esteemed valuable by Senators. We think that this trained Bureau, which we propose to have if the Senate shall agree with its committee, is destined to do a great work, and that it will be commissioned not only to furnish the statistics of population that are required by the Constitution and these other statistics that are grouped with them, but that every year we shall require of that Bureau accurate statistics, for instance, regarding the business of cotton ginning, regarding dairies, regarding certain other branches of industry which are required to be represented in these statistics. We shall urge as a reason for doing that, that statistics which are gathered once in ten years may not be reliable, because that particular year may be a year of great prosperity or it may be a year of great commercial depression. So the business interests of this country now require that they should have annually accurate statistics regarding these great industries. There is a growing demand for them, and we have thought, Mr. President, when the time came, you would agree with us that that would be a very desirable thing to be accomplished.

I hope, therefore, Senators, you will not strike the Census Office out of this bill. Leave it in the bill. Do not let us go on duplicating statistics as we are doing now—\$100,000 a year paid for partial statistics in the Agricultural Department, \$150,000 a year paid for statistics in the Treasury Department, and so on ad infinitum. You have provided for a duplication of the very work that that Census Bureau is now performing. Mr. President, I presume it is not now in order to make the motion I propose.

THE PRESIDENT *pro tempore*. The Senator can demand a separate vote on that amendment in the Senate without moving to reconsider the vote by which it was adopted.

MR. FORAKER. Would there not necessarily be that same duplication if you should leave the provision for the Census Bureau in the bill?

MR. QUARLES. In reply to that, I will say that my understanding of the matter is this: If the Census Office remains in the new Department, and these several statistical bureaus are also put in the new Department, it will then become the duty of the head of that Department to reorganize the bureaus and avoid all this duplication. I would have one central bureau of statistics.

MR. COCKRELL. How can he do it without a law authorizing him to do it?

MR. QUARLES. That is a question I hesitate to answer.

MR. COCKRELL. It ought to be in this bill. That is the very thing we have been contending against. You have conglomerated these things without giving any authority to unite them and harmonize them, just as you did when you provided two chiefs of bureaus, one subordinate to the other. I want to amend that. That is a defect in this bill.

MR. QUARLES. If that be true, I shall certainly urge upon my distinguished friend

from Minnesota [Mr. Nelson] that he permit this bill to be reviewed. I care nothing about the method pursued, but it seems to me very desirable that we should deal with this matter in some proper way to arrive at this result.

Mr. VEST. Mr. President, I do not understand that any Senator is opposed to proper legislation in this bill that will consolidate this matter of obtaining correct statistics. The Senator from Wisconsin [Mr. Quarles] is eminently right in what he has said as to the necessity for changing the present system in regard to obtaining correct calculations and correct statistics upon all these different subjects in which the people are interested. We have here developed in this discussion not the singular fact, but the evident fact, that Congress at some time vested the Statistical Bureau of the Treasury Department with general jurisdiction over all statistics. That unquestionably was done by authority, and if Senators will go back to the origin and the establishment of that Bureau in the Treasury Department they will find that that general jurisdiction was given to it.

Mr. TELLER. No; they will not.

Mr. VEST. The Senator from Colorado says they will not. I had occasion some twelve or fifteen years ago to examine that question, and my recollection is that that jurisdiction was conferred. If it was not conferred, then that Bureau has been acting without authority and wasting the money of the people in publishing the Statistical Abstract, which has had authoritative force throughout the United States.

One other observation and I am done. The Senator from Wisconsin says it will take five years to complete the further work of the Census Bureau. My information is that three years will be sufficient, and that the force can be cut down to some four or five hundred. At any rate I am satisfied from what I have seen of the operations of the Census Bureau that the work will be well done and economically done, because there has never been a Director of the Census who has proved himself more competent than the present incumbent.

Mr. ALLISON. The Senator from Wisconsin [Mr. Quarles], who is very accurate in his statements, has unfolded to me in more detail than I was acquainted with before the objects of this bill. If one of the objects of this bill is, as now appears, to concentrate in a single Department the statistics of the industries and occupations of the people of our own country, and also to gather within its folds statistics of the commerce and industries of all other countries, then I submit to my friend that this bill as now drawn is imperfect.

Mr. TELLER. Certainly.

Mr. COCKRELL. There is no question about that.

Mr. ALLISON. I quite agree with the Senator from Colorado [Mr. Teller] and the Senator from Wisconsin [Mr. Quarles] that it would be desirable to have, so far as possible, all statistical information concentrated in a single office; but I submit that this bill falls far short of that consummation. I also think that it will require great care and be difficult to so unite this statistical information as to enable a single Department to gather it.

We have now disclosed in this debate the fact that it will be the duty of the Director of the Census to gather statistical information of the mining industries of our country. That work is in process now, or will be in a short time.

We have had for twenty years—the Senator from Missouri in front of me [Mr. Cockrell] will have more accurate information as to the exact number of years—but we have had in the Geological Survey a requirement for many years—

Mr. COCKRELL. About twenty years.

Mr. ALLISON. About twenty years—that there should be an annual publication of the mineral resources of the United States, and that publication has appeared annually. I have not had the opportunity of knowing whether that volume is now published, but I think it has been published.

Mr. COCKRELL. The volume for 1900 has just been issued.

Mr. GALLINGER. The report for 1900 is just out.

Mr. COCKRELL. It is just out. I got it yesterday.

Mr. ALLISON. I have been absent on a little vacation and have not had an opportunity of looking into it, but I undertake to say that the statistics of the mineral resources of the United States and of the productions of the mines of the United States are reasonably accurate. It is not possible, I will say, that we shall be able to secure absolutely accurate statistical information on all these subjects. It is not possible for us, in collating statistics of the industries and occupations of our people, to make them absolutely accurate. How are we going to ascertain exactly the number of tons of coal produced from all of the mines of the United States by a special bureau appointed for that purpose? There must be a corps of people who are not under oath, who are not officials of the Government, who must be relied upon to furnish the statistics respecting the coal production of the United States, and most of that must be volun-

tary. Those statistics will be sufficiently accurate to compare our coal production with the production of the other countries of the world.

How are we going to ascertain the number of bushels of oats or of wheat or of corn produced in all the States of this Union? That can only be done, I submit to the Senate, by what might be called expert estimates. We are trying in the State of Iowa, in which I live, to ascertain the number of bushels of corn raised in that State during the last year. We have a State statistician, whose duty it is to ascertain that, and who does ascertain it in the the best obtainable way and at the least cost, but whether the production of corn in my State is 250,000,000 bushels or 251,000,000 bushels or 250,000,005 bushels can not be ascertained by any system of statistics that may be presented here or elsewhere.

Take the gold supply. The Senator from Colorado [Mr. Teller] mentioned a moment ago that he was led into a mistake by looking at the Statistical Abstract and finding that it did not exactly agree with the report of the Director of the Mint. While those who compile the Statistical Abstract in the Treasury Department avail themselves of every opportunity, as respects the foreign and domestic commerce and the productions of our country and of other countries, they must, in the very nature of things, avail themselves of the statistical information acquired from other Departments and other Bureaus. So that whoever compiles that Statistical Abstract in the Treasury Department undoubtedly avails himself of the information furnished by the Director of the Mint, who himself is gathering statistics regarding certain things which can be easily and more accurately ascertained by the Director of the Mint than by, probably, any other officer of the Government.

Mr. COCKRELL. He is confined to gold and silver principally.

Mr. ALLISON. His report is confined absolutely to gold and silver; but our Director of the Mint is in correspondence with the directors of all the mints in the world; he is in close correspondence from time to time with the experts in all countries who have information respecting the annual production of gold and silver. It is not necessary for this new statistician of this new bureau to undertake by original processes to ascertain these facts.

So with the Secretary of Agriculture. I do not know that the statistical division of the Agricultural Department gathers all its own statistics, but I do know that its statistics are as reasonably accurate as they can be made; and there is no bureau or department of the Government which can so well and so accurately ascertain the statistics necessary to be inserted in the general volume of our productions as the Department of Agriculture.

So it is that the Statistical Bureau of the Treasury Department now, instead of making original researches on this subject, goes to the Agricultural Department, and embodies in the Annual Abstract the things which the Secretary of Agriculture has been able to ascertain. Therefore, if I want to know the number of bushels of corn or wheat or oats produced I would go to that Statistical Abstract and ascertain it. As now published, it may not be exactly accurate or within a million or two millions of bushels of the total amount produced, but I can ascertain what it is in the aggregate sufficient for any commercial purpose or any industrial purpose.

Then, take another class of information to be sought here and that is brought within the purview of this bill—that is, statistics of transportation. These are all at hand and can be obtained with reasonable accuracy. We have now, in our Interstate Commerce Commission, a special statistician whose duty it is to report annually to Congress the statistics respecting the transportation interests of our country by rail, and these statistics are printed. The general statistician, as contemplated by the Senator from Wisconsin [Mr. Quarles] and provided for in this bill, I now for the first time understand will, of course, seek these resources in order to ascertain these facts. They are well known; they are ascertained without great cost to the Government, and they are accurate because they are transcripts of the statements made by the great railways that transport our products by rail. So it is with our statistics as respects our commerce by sea and the interior rivers and waterways of our country.

Mr. President, I thoroughly agree with the general suggestion that there ought to be, somewhere, a place where these statistics can be collated, compiled, and published in a single volume. I supposed that was already done by the Bureau of Statistics in the Treasury Department, which is proposed by this bill to be transferred. That Annual Abstract is not only an abstract of the receipts of customs, of the amount of imports, and so on, but it embraces the entire range of our products and prices of commodities.

The honorable Senator from Wisconsin, the chairman of the Census Committee, proposes to transmute the law that we passed in 1899 into a law permanently establishing the Census Bureau, which otherwise would go out of existence by force of the law creating it when its work, which is now in hand, is concluded.

The Senator from Wisconsin, in his most excellent speech, has only confirmed me in the suggestion I made. He is proposing here to bring forward an elaborate scheme, which, if I understand it, I shall give my support to—a scheme to make the Census Bureau a permanent one, and a single line, when that comes here, will put it into this new law. If it is wise to put it there, and if we can so arrange this bill as hereafter to provide for all this statistical information to be embodied in this new Department of Commerce rather than in the Department of the Secretary of the Treasury, I shall not object; but I myself do not like to see a suggestion that here it is proposed to consolidate bureaus when in fact there is no consolidation. I look at the various bureaus that would be turned over to this new Department, and I find that the Geological Survey is to be continued under the direction of the Secretary of the Interior. It is just as germane to the operation of that Department as to any other. So I find other things in the bill in the same direction.

Now it is proposed that this new Department shall deal with the foreign commerce of our country, and shall also, from year to year, collect statistics of the industries of our country; and not only so, but that it shall promote our industries, so that it is to be given enlarged powers. I do not object to that, although I think our industries have been fairly well promoted during the last few years by private enterprise and the exercise of judgment as respects these industries by private citizens.

Mr. President, I should not have made these observations but for the fact that I understand the Senator from Wisconsin intends to endeavor to reinsert these provisions. If the Census Bureau is to be provided for by a provision in this bill, it should be inserted with a great many amendments; and I am not sure that I am in favor of the suggestion made by the Senator that this Bureau shall take into its hands the statistics relating to the mining industries of our country and that the Geological Survey shall be denuded of its force, although it has a force now, and a trained force, that has been there for more than twenty years. It has at its head one of the most accomplished men in our country as to mining statistics.

Mr. COCKRELL. Dr. Day?

Mr. ALLISON. Dr. Day. I do not know but that if the Director of the Census has the acumen I think he has, he has already availed himself of Dr. Day's skill and force and energy on the subject of mining statistics, because he has them all at hand and has been engaged for twenty years in publishing them in a valuable annual volume.

Mr. QUARLES. That is entirely true, as I understand.

Mr. ALLISON. It seems to me that the suggestion made first by the Senator from Colorado needs careful consideration, and perhaps the bill needs some further amendment. I should like of course, for one, to see some modification in this particular amendment as respects our consular service.

It does seem to me that the only way whereby the statistics of foreign trade, prices, etc., can be ascertained economically is through our consuls and our consuls-general. They are under the State Department. It is true there is a sort of halfway transfer of the jurisdiction of the State Department over these consuls, but it seems to me, in view of the work they have done in the past few years, that it would be wiser for this new Department to avail itself of the work that the Secretary of State is doing in this direction, and then compile in its annual volume whatever information is procured.

Mr. GALLINGER. If the Senator from Iowa will permit me, is not that precisely what is provided for in section 5?

Mr. ALLISON. It may be.

Mr. GALLINGER. It is there provided that—

All consular officers of the United States, including consuls-general, consuls, and commercial agents, are hereby required, and it is made a part of their duty, under the direction of the Secretary of State, to gather and compile, from time to time, upon the request of the Secretary of Commerce, useful and material information and statistics in respect to the commerce, industries, and markets of the countries and places to which such consular officers are accredited, etc.

It seems to me this bill takes care of that very clearly and very fully.

Mr. ALLISON. It may.

Mr. LODGE. That portion of the bill, I will say to the Senator from Iowa, was very carefully considered and amended the other day.

Mr. ALLISON. Very well. I merely call attention to it, not that I wish to interfere with it.

Mr. President, I have entered this discussion with hesitation, because I have been absent for some weeks and I have not had an opportunity of giving such attention to the bill as perhaps I should have given it. I am in favor of the establishment of the new Department of Commerce, and I am in favor of giving it whatever jurisdiction such a department should have, but I do not think it is wise at this time, by a single statute, to undertake to change great bureaus of our Government from one

head to another and with that change to change so many officers without due consideration.

I heard with interest the suggestions of the Senator from Minnesota to-day as respects these various bureaus. I think some of them have no more relation to this new Department than they have to the departments with which they are now allied. Mr. Wright, who is now the head of the Department of Labor, has nothing, it seems to me, that should be supervised at all by the head of a department. I think he is doing most excellent work. It is scientific work; it is educational work; it has no special relation to the new Department or to any existing department. So with the Fish Commission. It is a scientific bureau. It is not now under any department, so far as I know. The head of that Commission, I believe, is doing very good work.

However, I do not care to discuss this matter further to-night, but I wish to say that if it is the object and purpose of the promoters of this bill, and especially the object and purpose of the honorable Senator from Wisconsin, who is chairman of the Census Committee, to endeavor to gather in under the direction of the census all these various statistical matters, I believe the whole question should be relegated to his bill when it comes in, and if he furnishes a comprehensive method whereby it can be done I shall favor it.

Mr. Teller obtained the floor.

Mr. HOAR. I wish to ask a question, if I may, before the Senator from Colorado proceeds; but I will wait if he would rather proceed. I simply desire to ask—

Mr. TELLER. I was going to suggest that the bill would require more discussion, and I have been told that there is a desire to have an executive session.

Mr. GALLINGER. I wish to say that the debate to-day, I think, with the exception of the remarks of the Senator in charge of the bill, has been entirely in the hands of Senators who are not on the Committee on Commerce. I think the bill for that reason ought to go over, and I should myself like a few minutes at some time, being a member of the Committee on Commerce, to make some observations. I am going to try to persuade the distinguished Senator from Missouri, who usually is right, that the amendment he proposes is not necessary.

The consolidation of these statistical bureaus is made absolutely as clear in the bill as it now stands as it will be if the amendment is adopted. However, that is a matter of not very much consequence. I think the bill will have to go over.

Mr. HOAR. Mr. President—

Mr. TELLER. I yield to the Senator from Massachusetts, if I have the floor.

Mr. HOAR. I do not wish to take the floor from the Senator.

Mr. GALLINGER. I supposed the Senator from Colorado had concluded his remarks.

Mr. TELLER. No.

Mr. HOAR. I merely wished to ask a question which I dare say may have been answered during the debate, as I have been obliged to be absent from the Senate Chamber nearly all the time.

What building or what quarters will be the home of this Department? I suppose some time or other, of course, there will be a new building. I should like to inquire, because we can not tell what may get through the two Houses hereafter, whether the bill should not contain some provision, which it does not now contain, as to the right of the proposed new Department to use rooms until the new building is completed? Perhaps that question has already been answered in debate.

Mr. GALLINGER. It has not been raised.

Mr. HOAR. I should like to ask what is the plan about that. We have certain buildings which by law are appropriated to certain departments of the Government. Now, we create a Secretary, an Assistant Secretary, and some other officials, I believe, and then we say that hereafter certain enumerated Bureaus and officials shall belong to the Department of Commerce. Do they retain by any law their right to remain in the Treasury building, for instance, or in the Interior Department building? Should not the bill have some provision for that? That is the point to which I wish to call attention. I do not wish to interfere at all with my friend's bill.

The discussion in the Senate was resumed on January 22, 1902.

The PRESIDENT *pro tempore*. The morning business is closed and the Calendar under Rule VIII is in order.

Mr. NELSON. I ask unanimous consent that the senate shall proceed to the consideration of the bill (S. 569) to establish the Department of Commerce.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. SPOONER. I should like to ask the Senator from Minnesota if the bill has been reprinted as amended by the Senate? I thought the Senate ordered a reprint.

The PRESIDENT pro tempore. It was not ordered, the Chair is informed.

Mr. NELSON. There has been one reprint of the bill. The amendments that were made the last time it was under consideration were very slight. I can explain them to the Senator.

Mr. QUARLES. I desire to offer an amendment to the bill which has grown out of the discussion we had the other day. I ask the Secretary to read it.

The PRESIDENT pro tempore. One moment, before that is done. This bill having been taken from the Calendar under Rule VIII by unanimous consent, it is subject to the rule limiting debate. Day before yesterday morning the debate went on without limit by general consent. The question is whether the Senate desires the Chair to enforce the five-minute rule. If not, consent should be asked that the rule be waived.

Mr. NELSON. I ask unanimous consent that the rule be waived and that there be no limit to debate.

Mr. HOAR. If we can debate the bill under the five-minute rule, it would hasten the Senator's purpose very much to do so.

Mr. NELSON. I do not feel like cutting off gentlemen who desire to debate the bill, and therefore I ask that it be considered without reference to the rule.

Mr. HOAR. But if no one should desire to speak more than five minutes it would not be necessary to waive the rule.

The PRESIDENT pro tempore. The Senator from Minnesota asks unanimous consent that the limitation of five minutes be waived in the discussion of the bill. Is there objection? The Chair hears none, and it is so ordered.

The Senator from Missouri [Mr. Cockrell] has offered an amendment, which is the pending amendment, and which will be read. The Chair calls the attention of the Senator from Wisconsin [Mr. Quarles] to it.

The SECRETARY. After the word "commerce," in line 4, page 4, section 4, strike out the words "and the chief of said Bureau of Foreign Commerce shall be the assistant chief of the said Bureau of Statistics," and insert:

And the two shall constitute one Bureau, to be called the Bureau of Statistics, with a chief of the Bureau and one assistant.

The PRESIDENT pro tempore. The Senator from Wisconsin [Mr. Quarles] offers an amendment as a substitute for this amendment?

Mr. QUARLES. Yes, sir.

The PRESIDENT pro tempore. It will be read to the Senate.

The SECRETARY. In line 6, page 4, of the printed bill, strike out all after the words "Statistics and" down to and including the words "United States," in line 12, and insert in lieu thereof the following:

That the Secretary of Commerce shall have complete control of the work of gathering and distributing statistical information naturally relating to the subjects confided to his Department; and to this end said Secretary shall have power to employ any or either of the said bureaus and to rearrange such statistical work and to distribute or consolidate the same, as may be deemed desirable in the public interest; and said Secretary shall also have authority to call upon other bureaus or departments of the Government for statistical data and results obtained by them, and it is hereby made the duty of such bureaus or departments to furnish such information when so requested, and said Secretary of Commerce may collate, arrange, and publish such statistical information so obtained in such manner as to him may seem wise.

The PRESIDENT pro tempore. Will the Senator from Wisconsin pardon the Chair for calling his attention to the fact that the Senator from Missouri, who offered the amendment to which this is a substitute, is attending a meeting of the Regents of the Smithsonian Institution and will shortly be here? The Chair suggests that the Senator from Wisconsin withhold his amendment until the Senator from Missouri arrives.

Mr. QUARLES. I comply with great pleasure with the suggestion of the Chair. However, I should like to have as prompt consideration of the amendment as possible.

The PRESIDENT pro tempore. Are there further amendments to be offered to the bill?

Mr. TELLER. Mr. President, it is quite impossible for us in this vicinity to know what is going on. If the purpose is to consolidate these two bureaus, it may be done by the amendment, which I suppose has been adopted; but there is not anyone around in this section of the Senate, I think, who can form any opinion as to what that amendment is.

The PRESIDENT pro tempore. An amendment has just been offered by the Senator

from Wisconsin [Mr. Quarles]. The Chair took the liberty of suggesting to him, as it was a substitute for one offered by the Senator from Missouri [Mr. Cockrell], that the Senator from Missouri is absent as a Regent of the Smithsonian, and will shortly be here, and the Chair suggested that he allow both amendments to lie over until the Senator from Missouri comes in. So nothing has been done with either amendment.

Mr. TELLER. I am very glad to know that that is the case, although I think it is a little hard on the Presiding Officer that he shall have to inform us on this side of the Chamber what is going on upon the other side.

Mr. NELSON. Mr. President, I think there is a misapprehension. The amendment of the Senator from Wisconsin [Mr. Quarles] comes in at the end of the amendment proposed by the Senator from Missouri [Mr. Cockrell], and does not conflict with it. The Senator from Missouri proposes to strike out, commencing in line 4, the following words:

And the chief of said Bureau of Foreign Commerce shall be the assistant chief of the said Bureau of Statistics.

And then to insert in place of that the language which I ask the Secretary to read: The Secretary read as follows:

And the two shall constitute one bureau, to be called the Bureau of Statistics, with a chief of the Bureau and one assistant.

Mr. NELSON. That is all. Now, the amendment offered by the Senator from Wisconsin comes in subsequent to that, commencing with the word "and" in line 6, and is supplemental to it. I think there is no conflict between the two, and that the amendment of the Senator from Missouri could well be adopted, leaving the amendment of the Senator from Wisconsin to be acted upon.

The object of the amendment of the Senator from Missouri is to make it perfectly clear that the two bureaus—the one on Foreign Commerce, brought from the State Department, and the Bureau of Statistics, from the Treasury Department—shall be consolidated into one. A question was raised the other day by the Senator from Missouri and the Senator from Colorado [Mr. Teller] as to that point, doubting whether there was a consolidation. The amendment of the Senator from Missouri is to clear up that question, and does not relate to the subsequent amendment of the Senator from Wisconsin.

I am quite content that the amendment of the Senator from Missouri should be adopted, because it is in line with what was intended in the bill originally—to consolidate the two bureaus.

The PRESIDENT pro tempore. Will the Senate agree to the amendment offered by the Senator from Missouri?

The amendment was agreed to.

The PRESIDENT pro tempore. The Senator from Wisconsin [Mr. Quarles] offers an amendment, which will be read.

The SECRETARY. Insert after the amendment just adopted the following:

That the Secretary of Commerce shall have complete control of the work of gathering and distributing statistical information naturally relating to the subjects confided to his Department; and to this end said Secretary shall have power to employ any or either of the said bureaus and to rearrange such statistical work and to distribute or consolidate the same, as may be deemed desirable in the public interest; and said Secretary shall also have authority to call upon other bureaus or departments of the Government for statistical data and results obtained by them, and it is hereby made the duty of such bureaus or departments to furnish such information when so requested, and said Secretary of Commerce may collate, arrange, and publish such statistical information so obtained in such manner as to him may seem wise.

The PRESIDENT pro tempore. Will the Senate agree to the amendment of the Senator from Wisconsin?

Mr. PETTUS. It seems that those two amendments are somewhat inconsistent. One makes the consolidation itself, and the other authorizes the Secretary of Commerce to make it as he may think best.

Mr. QUARLES. It seems to me that my amendment does impinge upon the other, at least slightly. The contemplation of the Senator from Missouri evidently was, in the latter clause of his amendment, to create a bureau to be known as the "Bureau of Statistics." To that extent it would interfere with the more elastic scheme covered by my amendment, which leaves it discretionary with the new Secretary to use these bureaus or to combine or consolidate them as he may deem wise. I think in that respect the Senator from Alabama is right, perhaps.

Mr. SPOONER. I ask that the section may be read as amended by the amendment of the Senator from Missouri.

The PRESIDENT pro tempore. The Secretary will read that part of the section as already amended, and will then read it as it would stand if amended as proposed by the Senator from Wisconsin.

The SECRETARY. Beginning in line 23, on page 3, as amended, section 4 reads as follows:

That the Bureau of Foreign Commerce, now in the Department of State, be, and the same hereby is, transferred to the Department of Commerce and consolidated with and made a part of the Bureau of Statistics, heretofore transferred from the Department of the Treasury to the Department of Commerce, and the two shall constitute one bureau, to be called the Bureau of Statistics, with a chief of the Bureau and one assistant.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Wisconsin [Mr. Quarles] will be read.

The Secretary read as follows:

That the Secretary of Commerce shall have complete control of the work of gathering and distributing statistical information naturally relating to the subjects confided to his Department; and to this end said Secretary shall have power to employ any or either of the said bureaus and to rearrange such statistical work and to distribute or consolidate the same as may be deemed desirable in the public interest; and said Secretary shall also have authority to call upon other bureaus or departments of the Government for statistical data and results obtained by them, and it is hereby made the duty of such bureaus or departments to furnish such information when so requested, and said Secretary of Commerce may collate, arrange, and publish such statistical information so obtained in such manner as to him may seem wise.

The PRESIDENT pro tempore. Will the Senate agree to the amendment offered by Senator from Wisconsin?

Mr. HOAR. I should like to inquire of that Senator whether it is in accordance with our legislative policy and habits to order one department as of right to demand a compilation of statistical information from another? It might require a great deal of expense. Very often the Senate makes a demand and is met by the answer of the department that they have no appropriation which enables them to furnish the statistical information required. As I understood it, upon listening to the reading, the amendment gives the Secretary of Commerce absolute right to require any other department of the Government to furnish any statistical information which he shall need, and that he shall compile it.

Mr. QUARLES. That is true.

Mr. HOAR. Let the amendment be again read.

The PRESIDENT pro tempore. The amendment will be again stated.

The Secretary again read the amendment.

Mr. HOAR. May I ask the Senator if it would not be true, as expressed in the amendment, that an officer in the Department of Justice, or in the Treasury, or the Interior Department, busily engaged in performing a duty assigned to him by his own official superior, might be called upon directly—not through the Secretary of his own department—and commanded to do some work for another department, and obliged to lay aside all of his pending business until he complies with that request?

Mr. QUARLES. I should hardly think, Mr. President, that that would be a fair construction of the amendment. I certainly had no such thought in its preparation.

I may simply say to the Senate that my interest in this matter arises out of a certain responsibility which I feel regarding the Census Bureau. My attention has been called to this on account of the action of the Senate in excluding the Census Bureau from this new Department. A debate arose here the other day as to what it was wise to do, and it occurred to me that, instead of having these statistics prepared in different departments, each under the head of a bureau chief, where they were overlapping each other, where the thing was being multiplied and duplicated, it would be far better to bring the Census Bureau into this new Department, bring these other bureaus in, and then leave it the duty of the new chief of this Department to gather all those statistics and have them issued with all the authenticity that the Government could give them, so that every statistical fact that we sent out would be backed by the authority of the nation, instead of being sent out simply with such authenticity as the head of a department not primarily charged with the gathering of statistics might give it.

That impression seemed to me so meritorious that I ventured to prepare this amendment, although at the present time, under the action the other day in Committee of the Whole, the Census Bureau is not included in the proposed new Department. But whether it be included or not, it has seemed to me very desirable that we should give the new Secretary this authority, because every Senator recognizes the difficulty of reaching out into a department by a kind of a surgical operation and taking a bureau away from a department. But here we are organizing a new Department, when the thing can be done without jealousy, without friction. It has seemed to me exceedingly desirable that there should be one central head, one central jurisdiction presiding over this matter of statistics, so that trained men might be employed and greater authenticity given to the statistics.

Mr. HOAR. Will the Senator allow me to make a suggestion?

Mr. QUARLES. Certainly.

Mr. HOAR. I entirely sympathize with the purpose of the Senator, but instead of authorizing the head of the new Department to require specific work from the bureaus of other departments, thereby establishing relations between the head of one department and the subordinates of another department, he should deal with the head of the department directly, and should obtain, so far as practicable, from the heads of the other departments of the Government the desired information. He would naturally make his application to the head of the other department, and the statute would, of course, make it incumbent upon the other department to respond. The insertion of some phrase of that sort would remove my difficulty.

Mr. SPOONER. Will my colleague permit me to interrupt him there?

Mr. QUARLES. With pleasure.

Mr. SPOONER. I do not think the Senator from Massachusetts [Mr. Hoar] has made a fair construction of the amendment. It only authorizes the Secretary of Commerce to call upon other departments for statistical data. The amendment reads:

And said Secretary shall also have authority to call upon other bureaus or departments of the Government for statistical data and results obtained by them, and it is hereby made the duty of such bureaus or departments to furnish such information when so requested.

I do not conceive that request as authorizing the Secretary of Commerce to require an investigation, but simply to furnish information which has been obtained.

Mr. HOAR. I did not so understand it, but I understood they were required to furnish data in their possession, to compile and copy the same.

Mr. SPOONER. Well, they compile it anyway; they obtain it for that purpose; and the idea of that is to furnish the information. It is entirely proper. The Senator agrees with me that all statistical information should in some method find its way to the Department of Commerce.

I think one suggestion made by the Senator from Massachusetts should have serious attention, and that can be easily reached if my colleague will strike out from his amendment the words "bureaus or." The amendment now reads:

And said Secretary shall also have authority to call upon other bureaus or departments of the Government for statistical data and results obtained by them, and it is hereby made the duty of such bureaus or departments to furnish such information, etc.

I suggest that my colleague strike out the words "bureaus or," so as to leave it simply "departments," so that they will communicate, each Secretary with the other Secretary. I think that would eliminate the objection made by the Senator from Massachusetts, which is well founded in that respect.

Mr. QUARLES. I shall be very glad to consent to that change.

Mr. SPOONER. I think one Cabinet officer ought not to be dealing directly with bureaus under another Cabinet officer.

Mr. QUARLES. Mr. President, while I have the floor I wish simply to call the attention of the Senate, and especially of my distinguished friend from Georgia [Mr. Bacon], who participated in the debate the other day, to this feature of the amendment: That, instead of providing that these bureaus should be abolished or undertaking to determine in advance what should be done with them, we leave it optional and discretionary with the new Secretary to leave these bureaus affiliated as they are if he shall conclude that the public interest will be promoted by that course, giving him, however, the discretion to rearrange and consolidate if he shall think that course to be more wise and beneficial.

As to the Census, at the proper time I shall call the attention of the Senate in some proper way to the propriety of placing back the Census Bureau in this new Department. Whether it be made permanent by subsequent legislation or left as it is, I think it ought to be in this Department, because its function is essentially the gathering of statistics. I hope for that reason it may be left under this new Department, to be dealt with in the discretion of the new Secretary.

Mr. BACON. If the Senator will permit me, before he takes his seat I simply wish to make an inquiry of him. Of course those of us who have not been specially charged with the preparation of the bill have depended largely upon the conclusions which have been reached by those who have given it their particular attention. The inquiry which I desire to submit to the honorable Senator from Wisconsin is whether the placing of the Department of Labor under this proposed new Department has been done with a view of equalizing the labors of the various departments, or whether it has been done because of any particular relation that it is thought the Department of Labor bears to the Department of Commerce? I simply wish to know by what reasons the committee were influenced in assigning to the Department of Commerce what is now known as the Department of Labor; whether it was because of the peculiar relationship of the Department of Labor to the proposed Department of Commerce and the consequent fitness that there should be some connection, or whether, in the

effort to equalize the labor of the different departments, it was found necessary to take the Department of Labor and put it in the Department of Commerce, thus relieving some overcrowded department? Which of these two were the motives and reasons by which the committee were guided?

MR. QUARLES. In regard to that matter, Mr. President, I think it wiser to refer to the distinguished Senator from Minnesota [Mr. Nelson], who has this bill in charge and who, I am sure, is better equipped to answer the question than I am.

MR. NELSON. Mr. President—

MR. HOAR. With the permission of the Senator, perhaps the matter that has been pending can be first disposed of.

MR. NELSON. Very well. I would suggest to the Senator from Georgia that I will defer for a moment to the Senator from Massachusetts.

MR. BACON. That is entirely satisfactory.

MR. HOAR. I merely desire that the pending amendment to the amendment shall be disposed of, as we seem to be agreed all around that it is proper. I think the suggestion of the senior Senator from Wisconsin [Mr. Spooner] answers my difficulty so far as it is important. I will ask the junior Senator from Wisconsin [Mr. Quarles] if he will modify his amendment by striking out the words "bureaus or," where they twice occur, so as to read "other departments." If the Senator will modify his amendment in that way, it will meet my objection.

MR. QUARLES. I will do so with pleasure. I ask to amend the first draft of the amendment—

The PRESIDENT pro tempore. The Senator has that right.

MR. QUARLES. I will then modify the amendment by striking out the words "bureaus or" where they occur.

MR. HOAR. The Senator has the right to do that, the yeas and nays not having been ordered on the amendment.

The PRESIDENT pro tempore. The modification of the amendment of the Senator from Wisconsin made by him will be stated.

The SECRETARY. Strike out the words "bureaus or" where they twice occur.

MR. GALLINGER. Mr. President, for a great many years, as is well known to all members of this body, the great commercial interests of the country have been asking for the establishment of a Department of Commerce, and in response to that demand the Committee on Commerce, charged with such matters, gave very careful consideration to a bill, which I think was reported favorably at the second session of the Fifty-sixth Congress. I will ask the Senator from Minnesota if I am not right?

MR. NELSON. It was originally reported, I think, in the Fifty-fifth Congress, by the junior Senator from Maine [Mr. Frye], now presiding over the deliberations of this body.

MR. GALLINGER. That bill went to the Calendar and was not reached for consideration. At the present session it was reintroduced practically as it had been reported, and it again received very careful consideration by the Committee on Commerce. It was reported, is now on the Calendar, and under consideration.

I desire, Mr. President, as a member of that committee, to take a very few moments of the valuable time of the Senate in some observations on this measure, which has been somewhat severely criticised, and perhaps properly so, by Senators not members of the Committee on Commerce.

Section 3 of the bill declares the purpose and the scope of this new Department:

SEC. 3. That it shall be the province and duty of said Department to foster, promote, and develop the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, the labor interests, and the transportation facilities of the United States; and to this end it shall be vested with jurisdiction and control of the departments, bureaus, offices, and branches of the public service hereinafter specified, and with such other powers and duties as may be prescribed by law.

The Senator from Georgia [Mr. Bacon] a moment ago asked why it was that the Department of Labor was included in this bill. He wanted to know whether it was because the committee recognized that the matter the Department of Labor deals with properly belongs to a Department of Commerce, or whether it was to relieve the pressure upon some other department of the Government. I will say to the Senator that, as I understand the matter, it was for the double purpose. First, the Department of Labor deals with statistics, and it is proposed to place the collection and promulgation of statistics in a bureau in the Department of Commerce, and next because of the fact that the Department under which the Bureau of Labor now is operating is beyond a question overwhelmed with work, and may well be relieved by Congress in the establishment of a new bureau.

MR. NELSON. Will the Senator allow me to interrupt him?

MR. GALLINGER. With pleasure.

Mr. NELSON. I think the Senator is laboring under a misapprehension in one respect. The Department of Labor is not now in any executive department; it is isolated; it is by itself.

Mr. GALLINGER. Upon reflection I recall that that is so, and I was mistaken in the statement I made. It is an independent department, and yet not an executive department. It was thought wise by the committee to place it under this new Department, making it a bureau in the ordinary acceptation of the term.

Mr. President, this bill has had, as I before stated, very careful consideration. Doubtless the committee has made some mistakes in its construction and in the bureaus and departments they have included in it, but it is not a crude bill, and it is not a proper subject for criticism in that direction. The bill has already been amended, and I think, Mr. President, amended not in a way that improves it. The Census Office has been stricken from the bill. I quite agree with the chairman of the Committee on Census of this body that that office should be included in this new Department, and that the statistics which that office is collecting should be made part of this proposed Department and put under the Bureau of Statistics, which this bill proposes to create.

Mr. BACON. Will the Senator pardon me if I make an inquiry as to the matter on which he has been speaking before he passes to another point?

Mr. GALLINGER. With pleasure.

Mr. BACON. My inquiry is, whether, in the practical operation of the present Department of Labor, there has developed any such inefficiency as requires that its status shall be changed and that it shall be put under one of the great Executive Departments?

Mr. GALLINGER. Well, Mr. President, I think we will all agree that no man has been rash enough to assert here or elsewhere that the Department of Labor as at present constituted has not done magnificent work or that it is subject to any criticism whatever; and yet it is an independent Department under the law to-day. The committee thought it was wise to include it in this new Department. That is all. It may not be wise to do so, but the committee thinks it is. The Senate may think otherwise, and, of course, the committee will yield to the judgment of the Senate.

I could not, Mr. President, if I tried, utter words of too great praise for the distinguished statistician who is at the head of the present Department of Labor. His work is beyond praise; it has commended itself to all classes of our people; and I have never heard a word uttered by any man in public life in criticism of the administration of that Department.

Mr. BACON. Will the Senator permit me, then, to ask him, as a member of the committee, another question?

Mr. GALLINGER. Certainly.

Mr. BACON. If, under the present arrangement, there is such distinguished success, would it not be the part of wisdom to allow the present arrangement to continue, rather than to subject the present head of that Department to control which might in some degree impair or interfere with that efficiency, if it is now so perfect?

Mr. GALLINGER. Well, Mr. President, that is, of course, a matter of judgment. I have no doubt the same gentleman will be continued at the head of the work who has it now in hand if this change shall be made. As I stated a moment ago, it is a matter for the Senate to decide for itself.

Again, Mr. President, the Coast and Geodetic Survey, which the committee recommended should be included in this new Department, has been stricken from the bill, and I think there a mistake has been made. I suppose it is safe for me to say, Mr. President, that the best charts published in the world are published by the Coast and Geodetic Survey; but there is an anomaly in that service being in the Treasury Department, and if it is proposed by some future legislation to transfer it to the Navy Department, as has been hinted, I am clearly of opinion that it would be a mistake to do that.

The Coast and Geodetic Survey, if I properly understand its function, has to do with commerce. It charts the harbors and coast lines almost exclusively, and while the Navy Department may well give its spare time to the deep-sea soundings, it seems to me that the specific work the Coast and Geodetic Survey has in hand belongs almost exclusively to this new Department of Commerce, if it shall be created; but the Senate has stricken from the bill that provision, and it very likely will adhere to the conclusion it reached on that point, although I give notice that when the matter comes into the Senate I shall ask for a separate vote on that proposition.

Mr. President, as to the matter of statistics, which is immediately in hand, I do not think the criticisms which were made upon the bill in that regard were well founded. Possibly the provisions are not sufficiently clear; possibly the scope may not be as broad as it ought to be; but the committee had clearly in mind the estab-

lishment of a single Bureau of Statistics, and the bill very pointedly accomplishes that result, as I understand. If you turn to page 3, line 16, you will find it is provided:

That the Bureau of Foreign Commerce, now in the Department of State, be, and the same hereby is, transferred to the Department of Commerce and consolidated with and made a part of the Bureau of Statistics, hereinbefore transferred from the Department of the Treasury to the Department of Commerce, and the chief of said Bureau of Foreign Commerce shall be the assistant chief of the said Bureau of Statistics; and it shall be the duty of said bureau—

Not of two bureaus, as has been contended here, but—

it shall be the duty of said Bureau, under the direction of the Secretary, in addition to the duties now prescribed by law, to gather, compile, classify, and publish statistical information showing the condition of the foreign and domestic commerce, of the mining, manufacturing, shipping, and fishery industries, and of the transportation facilities of the United States.

Mr. President, in creating this Bureau of Statistics the bill proposes that we shall transfer to the Department of Commerce the Bureau of Statistics now in the Treasury Department; that we shall take the Bureau of Statistics in the State Department and consolidate them, and if Senators will turn to page 5 of the bill they will perceive that we provide that the consular officers shall likewise continue to gather statistics, and that their work shall be turned over to this Bureau of Statistics in the Department of Commerce.

I say, Mr. President, that the criticisms which have been made, that we were not sufficiently explicit in saying that there should be one bureau, are not, to my mind, justified by the language of the bill; but of course if it can be made more clear by the amendment submitted by the Senator from Missouri [Mr. Cockrell] and the amendment which is now pending, submitted by the Senator from Wisconsin [Mr. Quarles], the committee will be glad to have the text of the bill perfected in that respect.

I do not know that I have anything further which I ought to impose upon the Senate in this matter, but I will say further that the committee has had one object in view, and that was to respond to the almost universal demand of the commercial bodies and interests of this country for the establishment of another executive department of the Government to be known as the Department of Commerce. Their purpose has been to have a Bureau of Statistics which would accomplish the very results which the Senators who have criticised the bill think it desirable for us to accomplish. In creating this new Department we, of necessity, invaded the other departments; we had to take one bureau from one department and another bureau from another department. We had to give this new Department some work, and we found some of the other departments so overcrowded that we could well invade their domain and transfer to this new Department the work which more properly belongs to a Department of Commerce than to any existing executive department.

Mr. President, I trust the bill will be speedily voted on. It is, to my mind, a bill which is demanded by the best interests of the people of the United States, and which will receive the commendation of the great commercial bodies of this great commercial country of ours.

The PRESIDENT *pro tempore*. The Presiding Officer of the Senate received a letter addressed to him by Mr. Gompers, the president of the American Federation of Labor, with the request that "you may extend the courtesy of submitting this communication to the Senate of the United States." As it relates to the pending bill, and possibly to the proposed pending amendment, if there be no objection, the Chair will comply with the request of this gentleman and submit the letter to the Senate. Is there objection? The Chair hears none, and the Secretary will read the letter.

The Secretary read as follows:

AMERICAN FEDERATION OF LABOR,
Washington, D. C., January 20, 1902.

HON. WILLIAM P. FRYE,
President pro tempore United States Senate.

DEAR SIR: The bill pending before your honorable body, Senate 569, is, as you know, to establish a Department of Commerce, with the creation of an office to be known as Secretary of the Department of Commerce. A perusal of the bill shows that it proposes to transfer the Department of Labor to the proposed Department of Commerce, and it is this particular feature to which your attention is respectfully directed.

As you know, the Bureau of Labor Statistics was created at the earnest solicitation of the organized labor movement of America, and subsequently changed to the higher position of the Department of Labor. This, too, in response to the earnest request of the American Federation of Labor, and the hope has been long entertained that time would demonstrate the wisdom of an independent executive department and its chief officer a secretary with a voice in the councils of the President, affecting matters particularly relating to the great interests of labor.

No keen observer disputes that the all-absorbing and burning question of our time is expressed in the terms "the labor question." In the effort to establish the rightful relation of the workers to society, in the production of wealth and in its just distribution, is encompassed all the complex questions of our lives.

That justice should be meted out to all the workers, no thoughtful man will deny.

Anything which is not based upon ethical considerations for all, no intelligent trade unionist asks. Questions often arise in the official family of the President of the United States in which justice, fair dealing, ethics, and the law and its administration must frequently be under consideration, and,

unless there is some representative of the workers competent to speak in their name, to advocate their cause, to convey to the Executive head and his advisers the laborer's side of labor's contention, he and they must be deprived of valuable and far-reaching information. It is to supply this present deficiency that the American Federation of Labor has asked, and should repeat and increase its efforts, to secure the enactment by Congress of a law creating a Department of Labor, with a Secretary who shall have a seat in the President's Cabinet.

The creation of a Department of Commerce with the provision for the subordination of the Department of Labor, will minimize the importance of labor's interests and minimize the present Department of Labor. Against such a procedure, in the name of American labor, I enter my most solemn protest.

There can be no question that the members of a President's Cabinet are representatives of the employers' and business men's side of industry, commerce and finance. Our ambassadors and consuls to foreign countries are agents and advocates of the same interests, and there can be no good reason for the creation of a Department of Commerce, particularly when the Department of Labor, which was created for a particular purpose, in no way germane to a Department of Commerce, and which it is purposed shall be absorbed thereby to the detriment of the interests of all our people.

It is therefore urgently requested that in the event that the honorable Senate should deem it wise to enact Senate bill 569, that the Department of Labor as now constituted may be eliminated from its provisions. I trust, too, that you may extend the courtesy of submitting this communication to the Senate of the United States.

I have the honor to remain, yours, very respectfully,

SAML. GOMPERS,
President American Federation of Labor.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Wisconsin as modified.

Mr. TELLER. I do not think the Senator from New Hampshire [Mr. Gallinger] need infer that we are criticising the work of the committee because we do not agree with the bill in all its provisions. I believe it is customary in the Senate for Senators who do not entirely agree with a committee to make suggestions of amendment, and I hope that will be continued. Certainly the proposition of two bureaus of statistics in one Department and the chief of one the assistant chief of the other is a new departure in administration. Nobody ever heard of such a thing before, and anybody who has had experience in those affairs must know that it will not work. All that has gone out, however. The Senator from New Hampshire seems to think it is a reflection upon the committee to strike it out.

Mr. GALLINGER. No, Mr. President, if the Senator from Colorado will permit me, I did not mean to say that.

Mr. TELLER. It sounded like it.

Mr. GALLINGER. I meant to say, and I repeat, that I am of opinion that the language of the bill does not bear out that construction. That is all I meant. It is a difference of opinion between the Senator and me.

Mr. TELLER. It is possible that we are mistaken, but it does not seem so to me. However, that has gone out.

Here is another proposition which I think ought to be considered a minute. As I said before, I am not making objections in hostility to the bill. I expect the bill to pass. I should like to see it in such shape, however, that it will be a proper bill to be passed. On page 5 there is a very proper provision. I do not find fault with it.

And all consular officers of the United States, including consul-generals, consuls, and commercial agents, are hereby required, and it is made a part of their duty, under the direction of the Secretary of State, to gather and compile, from time to time—

That is what they are doing, perhaps without any law, but there is no objection to it. What I object to is this:

From time to time, upon the request of the Secretary of Commerce.

In other words, you take away from the Secretary of State the power to do this, unless the Secretary of Commerce requests it to be done, do you not?

Mr. LODGE. I do not think that is the intention, certainly.

Mr. TELLER. I do not know that it is, but does it not look a little—

Mr. LODGE. The line which the Senator has read is my amendment. That is the reason why I have replied to the Senator.

Mr. TELLER. I think what the Senator had in mind perhaps was that upon the request of the Secretary of Commerce the Secretary of State should furnish the statistics to this Bureau. I think that would be proper, but I hardly think it would be proper to say that he is to make these inquiries upon the request of the Secretary of Commerce. That work has been done for a number of years, and it has been very valuable.

Mr. LODGE. It has been done under the law—the law establishing the Bureau of Foreign Commerce in the State Department.

Mr. TELLER. I did not know it had been done under the law.

Mr. LODGE. I think that is the way it has been done.

Mr. TELLER. I did not know whether the law required it or whether it has grown up; but either way, it has been a useful and valuable service.

Mr. LODGE. Of course, the Secretary of State has the power to direct the consuls to transmit any information that he desires.

Mr. TELLER. I think it would be better to change this so that, upon the request of the Secretary of Commerce, he should furnish the statistics to the Department of Commerce.

Mr. LODGE. Then the Senator would strike out the words "upon the request of the Secretary of Commerce." That is all that is necessary.

Mr. TELLER. Then I would strike out those words.

Mr. NELSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Minnesota?

Mr. TELLER. Certainly.

Mr. NELSON. Will the Senator from Colorado allow me to suggest that we can meet the suggestion he has made, and it will not mar the bill in the least in that respect, by striking out, in line 15, the words "upon the request of the Secretary of Commerce?"

Mr. TELLER. I think that will do it.

Mr. NELSON. If that is satisfactory, it will not change the effect of the bill. If the Senator from Colorado will move that amendment, I shall have no objection to it.

Mr. TELLER. I move, then, to strike out in line 15 the words "upon the request of the Secretary of Commerce."

The PRESIDENT pro tempore. The Senator from Colorado moves an amendment. The Chair will entertain the motion now, although there is an amendment pending.

Mr. TELLER. As this is an informal amendment, I hope it will be entertained.

The PRESIDENT pro tempore. The Chair will entertain the amendment. The question is on agreeing to the amendment proposed by the Senator from Colorado, which will be stated.

The SECRETARY. In line 15, page 5, it is proposed to strike out the words "upon the request of the Secretary of Commerce."

The amendment was agreed to.

Mr. TELLER. Mr. President, I merely wish to say a word about the Statistical Bureau. It is a matter I have had considerably at heart, and I know some other Senators have. I do not know but that we have it now so that it is thoroughly complete and efficient. I can hardly tell by hearing the bill read, and nobody else can, for that matter.

What I think we need is that when the Director of the Mint shall make up his estimate of the amount of gold, when the Comptroller of the Currency shall make up his estimate or his statement, that somebody, before those statements become published or become a part of a report, shall oversee them. I do not know whether this bill provides for that or not. I do not know whether it would be regarded as offensive to the bill if I were to suggest it. I believe that is what we ought to have.

Mr. NELSON. I will say to the Senator from Colorado that I think the amendment of the Senator from Wisconsin will reach the point to which he has referred.

Mr. TELLER. The other day I understood the Senator from Missouri to indicate that to his mind the Chief of the Bureau of Statistics had control of these estimates of other departments. I challenge that. I think perhaps he did not mean that. He meant to say, I guess, that the Chief of the Bureau was acting under authority of law. That is right. But he has no power over the Director of the Mint. He could not change his figures if he wanted to, except to change them in his own report. He could see that the Director of the Mint made his figures conform to those of the Bureau of Statistics. That is where the trouble comes in.

Mr. ALLISON. Mr. President, I should like to say a word before the amendment is acted upon. As I understand, it is now proposed, by the scope of this bill, to transfer to the new Department all matters relating to statistical information, and the amendment offered by the Senator from Wisconsin proposes to give this new Secretary the power to subordinate all other departments to this Department, because, whatever he asks from them they are bound to furnish, if I understand the purport of the amendment.

Mr. CULLOM. All other departments?

Mr. ALLISON. All other departments. That is to say, if the Secretary of Commerce wishes any information or statistics as respects anything connected with another department, it shall be the duty of that department to furnish it.

Now, I doubt very much whether it is worth while for us to insert in this bill a provision of that character, even applying to the departments. It is true that the amendment originally proposed has been amended so as to strike out bureaus, but that does not meet my objection thoroughly. I understand now that this bill transfers the Bureau of Statistics from the Treasury Department to the Department of

Commerce, the object being to have that Department do what the Bureau of Statistics in the Treasury Department is now doing. Am I right in that respect?

Mr. NELSON. Certainly the Senator is right. If he will allow me in this connection, I wish to say to him that in one respect he misapprehends the bill. There is no attempt to transfer any statistical division of the Government, except what is known as the Bureau of Foreign Commerce, which used to be called the Bureau of Statistics, in the State Department. That is transferred to the new Department and consolidated with the Bureau of Statistics, now in the Treasury Department, with a view of making one entire Bureau of Statistics. That is the only consolidation. The bill does not attempt to enlarge the scope of the work that is now conferred upon the Bureau of Statistics.

Mr. ALLISON. I am glad to have the information. That was really my understanding, and I intended to state it.

Now, if that be true, as I understand it to be true, I submit that the amendment now offered by the Senator from Wisconsin is not necessary, because it is the duty of the Bureau of Statistics to collate and compile the information which it is now proposed to provide for by specific statute. I have before me the requirements with respect to the Bureau of Statistics, and I find that they embrace practically everything connected with our internal and external commerce, and they also contain every proper thing, I should think, as respects the industries of the country.

Mr. NELSON. I may say, if the Senator will allow me to interrupt him right here, that that was the very reason why we thought it was appropriate to the Department of Commerce.

Mr. ALLISON. Very well. The Senator does not understand me to oppose this transfer or to oppose his bill. I suppose a little bit of criticism on this bill as it occurs to Senators on the floor can not be considered as hostile to the measure.

Mr. COCKRELL. Will the Senator from Iowa read that section?

Mr. CULLOM. Let us hear it read.

Mr. ALLISON. I will not read the whole of it, because it is an elaborate arrangement and seems to be very well prepared.

The Chief of the Bureau of Statistics shall, under the direction of the Secretary of the Treasury, annually prepare a report—

That is what he is to do—

The Chief of the Bureau of Statistics shall, under the direction of the Secretary of the Treasury, annually prepare a report on the statistics of commerce and navigation of the United States with foreign countries to the close of the fiscal year. Such accounts shall comprehend all goods, wares, and merchandise exported from the United States to other countries; all goods, wares and merchandise imported into the United States from other countries, and all navigation employed in the foreign trade of the United States; which facts shall be stated according to the principles and in the manner hereby directed.

And then the manner is set forth in considerable detail, which I will not read.

Then another section provides what the collectors of customs shall do in order to enable him to prepare these statistics, and there are a great many other things which he is obliged to do.

The Chief of the Bureau of Statistics shall, under the direction of the Secretary of the Treasury, prepare and publish monthly reports of the exports and imports of the United States, including the quantities and values of goods warehoused or withdrawn from warehouse, and such other statistics relative to the trade and industry of the country as the Secretary of the Treasury may consider expedient.

Now, I submit to the Senator from Minnesota that it will be impossible, as I conceive it, for this new Secretary to secure these statistics in any way except from the Treasury Department. He will not have in his Department that upon which this information can be founded or from which it can be derived. All this information as respects exports and imports is necessarily in the hands of the Secretary of the Treasury and within the purview of that Secretary. So I think there will be difficulty in transferring this particular duty from the Secretary of the Treasury to the new Secretary.

Mr. LODGE. Do I understand the Senator from Iowa to mean that because the Secretary has to get this information from collectors of customs, therefore it ought to remain under the Treasury Department?

Mr. ALLISON. No, sir; the Senator should not so understand me.

Mr. LODGE. Will the Senator kindly explain to me what the objection is?

Mr. ALLISON. I undertake to say that it is not a practicable thing to undertake to transfer to the new Bureau all the warehouses of the United States which contain foreign goods. It is not practicable to transfer to the new Secretary the duty of making a monthly statement of the value of goods in warehouse or withdrawn from warehouses, except he obtains the information through the Secretary of the Treas-

ury, unless the new Secretary is to take upon himself the control and direction of the importation of merchandise and the collection of revenue thereupon.

Mr. LODGE. I understand—and the Senator will correct me if I am wrong—the officers in charge of the warehouses and the collectors of customs, etc., now transmit these statistics to the Chief of the Bureau of Statistics. The Chief of the Bureau of Statistics does not collect them himself at the warehouses and ports. They are transmitted to him by those officers.

Mr. ALLISON. They can be by law. They are not now authorized to be transmitted to the Bureau by any statute I know of.

Mr. LODGE. I thought that was what the Senator read.

Mr. ALLISON. I have no doubt the Chief of the Bureau of Statistics is in communication with these collectors for the purpose of securing information.

Mr. LODGE. I mean that the Chief of the Bureau of Statistics has a large mass of statistics, as we all know, gathered from the collectors of our ports and from warehouses, etc. Now, he does not himself go around to the various ports and get them. They must be transmitted to him by those officers.

Mr. ALLISON. That may be, but they are now transmitted necessarily to the Secretary of the Treasury.

Mr. LODGE. Certainly; and by him sent to the Bureau of Statistics.

Mr. ALLISON. Yes.

Mr. LODGE. Now, suppose the Bureau of Statistics were moved into the Department of Commerce. We are proposing to transmit from the State Department the statistics gathered by consuls.

Mr. ALLISON. Very well.

Mr. LODGE. Why can not the Treasury transmit those gathered from collectors?

Mr. ALLISON. Possibly it can. I am only saying that possibly there will be a little difficulty in providing that the head of one department shall transfer monthly to the head of another department, or to a bureau of another department all these statistics. It will require duplication, undoubtedly, but I make no special point on that.

The law continues:

The Chief of the Bureau of Statistics shall prepare an annual statement of all merchandise passing in transit through the United States to foreign countries, each description of merchandise, so far as practicable, warehoused, withdrawn from warehouse for consumption, for exportation, for transportation to other districts, and remaining in the warehouse at the end of each fiscal year.

Of course this can all be furnished by the Treasury Department to the new Department, if necessary, and that is the way it will have to obtain it—through customs officers and not through any officers that the Secretary of Commerce can possibly employ.

Now, then, in addition to that, the law provides:

The Chief of the Bureau of Statistics shall collect, digest, and arrange, for the use of Congress, the statistics of the manufactures of the United States, their localities, sources of raw material, markets, exchanges with the producing regions of the country, transportation of products, wages, and such other conditions as are found to affect their prosperity.

Now, that is all done under the law by this Bureau which is to be transferred to the new Department, and I submit that with this statement it is unnecessary for us to inject into this new statute mandatory provisions. I think a head of a department when called upon for statistical information will furnish it as a matter of comity, and I do not think one Secretary should be subordinated to another in this regard. Therefore I find more ample provision made here than I had supposed the other day when I was speaking somewhat of the importance of what the Senator now proposes and what is proposed in this bill, and to which I cordially agree. I have no fault to find with it, but I think the method now adopted is one which has proved satisfactory and which, with an efficient chief of bureau, will gather under this new Secretary all the information from every source available which will be required in this annual statement.

Mr. LODGE. I should like to ask the Senator a question, if it does not disturb him.

Mr. ALLISON. Certainly.

Mr. LODGE. Whether the Bureau of Statistics remains where it is or whether it is transferred, it will perform the duties which the Senator has read from the original statute and are repeated and amplified here?

Mr. ALLISON. Undoubtedly.

Mr. LODGE. Now, we have gone to work and imposed on the census the task of collecting the same statistics that this Bureau is collecting from month to month and year to year. Why should we duplicate this work? Why can we not in some way consolidate the statistical work instead of having it done twice?

Mr. ALLISON. If the Senator from Massachusetts understands me to propose duplication—

Mr. LODGE. Oh, I do not.

Mr. ALLISON. I must certainly disabuse his mind. I am endeavoring to do exactly what the committee is endeavoring to do, but I am criticising now a suggestion made by the Senator from Wisconsin, which I agreed to practically in advance the other day, because I did not know then in detail what I see now on looking at the statute—that there is ample and complete power now to gather all that is possible to be gathered by the new Secretary. Therefore it is that I want the Secretary to have the widest scope, and that the best comity, if I may use that term, shall prevail between the secretaries, and not have clerks of one department write letters to the other, and make it the duty of that other to respond thereto.

Mr. QUARLES. If it will not interrupt the Senator from Iowa, I should like to make a suggestion.

Mr. ALLISON. Certainly.

Mr. QUARLES. The fact that the statistics gathered in that Bureau—as the Senator has read from the statute—are valuable and accurate does not meet the case, I suggest to the Senator. Let me illustrate from the statute which he has just read. It requires the Bureau of Statistics to gather full information regarding manufactures, for instance. Is there any necessity in the decennial year, when the census is expressly charged with the duty of gathering those identical statistics, of having the work duplicated by that Bureau? Under my amendment, as the Senator will see, there would be a discretion left in this officer to suspend the work of the Bureau for the particular year when the census is charged with the duty of gathering those identical statistics, and there is no object in paying for them twice.

Mr. ALLISON. I agree thoroughly with the suggestion made by the Senator, but that is a criticism upon the census bill which we passed two years ago. If it is true that these statistics are as comprehensive as the statistics of the census, then we should not have provided for them; but I think the decennial census is intended for a wider and perhaps more important purpose—that of showing in detail the growth and development of our country for each decade, so that we can compare the census of 1900 with the census of 1890 and ascertain as respects our agricultural, our manufacturing, our farming, and our mining production the progress and development made in ten years.

Therefore, decennially we have in the past—it may not have been wise—provided for an enlarged and specific and detailed statement, which it is not expected will be done in the Bureau of Statistics. It is, as a matter of fact, impossible that it shall be done, and it is impossible that any department can do it every year. We shall have expended, when we have finished this decennial census, ten or twelve million dollars, because every home has been visited, every farm has been visited, every manufacturing industry has been visited, and the details have been shown, for this decennial period, as to the number of men employed in each, as to the wages paid in each, so far as practicable, because all that information is difficult to secure.

I suggested yesterday that when the Senator from Wisconsin brings in his elaborate provision here for a continuation of the census, without regard to decennial periods, making it a bureau or an office in some one of the departments of the Government, then is the time to arrange for that class of statistics specifically and, perhaps, more in detail for the imposition of new duties, if there are additional duties required, upon the Chief of the Bureau of Statistics.

Therefore it is, Mr. President, that I would rather we would not now deal with the new powers that are proposed here as respects the gathering of statistics, but that we should rest for the moment, at least until we get this new Department into play, upon the very comprehensive statute and the comprehensive powers that are now given to the Chief of the Bureau of Statistics, which Bureau is to be here transferred. That is my general idea.

I may be mistaken about it, but I undertake to say that it will be impossible for us each and every year to deal at large with the question of our occupations, our wages, our labor, our manufactures, our mines, our forests, and our agriculture in detail as they are dealt with every ten years. So, after further consideration, I believe it is unwise for us now to legislate whereby we shall enlarge the duties and powers of this new Secretary so as to make every other Secretary who happens to have a statistical bureau in his Department subordinate to the new Secretary, as will be the case if this amendment is agreed to.

I hope the Senator from Wisconsin will withdraw the amendment and allow the law to stand, as I think it does stand, with comprehensive powers as respects the gathering of statistics. I am sure that every Secretary of any department will gladly furnish the statistics in detail when called for, and they will furnish them, and do furnish them, in their annual reports, which are always transmuted right into the Statistical Abstract.

Mr. LONGE. Mr. President, as I understand it, we have had censuses of late which were intended to chronicle the decennial growth of which the Senator has spoken. We added one subject to another until by the time the census was published the

statistics were completely obsolete, and nobody thought of using them. In fact they became, except for the statistics of population, such gloomy failures, that is, for current knowledge, that at the last census we undertook to change, and did almost completely change our system. We provided that we should have a very limited number of subjects and get the returns in two years, and then that the other subjects on which we wanted detailed statements should be referred to a permanent bureau to report upon them from time to time. That seems to me to be an intelligent way of dealing with it.

If we are to have a permanent bureau to deal with these statistics, why not concentrate it in one hand? We have bureaus of statistics scattered about in almost every department of the Government, publishing and republishing—many of them—the same information. I do not care whether the central bureau is put under one department or another, but it seems to me we ought to have one bureau of statistics and that all statistics should be sent to that bureau, no matter where you place the bureau. Then we shall have one issue. We will not duplicate. We will not spend twice as much money as we need. We will get reports on different subjects from time to time with some degree of freshness. We shall save more money and get better returns, it seems to me, in that way than any other.

The plea I am making is the old plea that I have heard made here by many Senators on other subjects, for a concentration of all the bureaus in the Government which are doing the same work.

The Census, which is the great statistical bureau of the Government, it seems to me, ought to be the nucleus around which all the others should gather, and the Census, the Bureau of Statistics, the Bureau of Commercial Statistics, and the Bureau of Foreign Statistics should all be grouped together under one head, and we should have all the statistics gathered in the different departments transmitted by the heads of those departments to the central bureau. I do not think anyone can question that we would get better results very much quicker and that we would simplify and cheapen the whole of this important branch of the Government.

I welcomed this bill because it seemed to be making an advance in that precise direction. I was very sorry to see that the Census had been stricken out of it. I think the Census ought to be there. I think the Bureau of Statistics ought to be there. I tried to arrange the part relating to the Bureau of Foreign Commerce so that all that was statistical might be delivered by the State Department to the new Department.

It seems to me that we ought to apply the same system to the Treasury—that let that which is statistical in the Treasury be transmitted to the new bureau formed under the new Department. That, it seems to me, should be the true object for which we should try to legislate.

As I understand it, the amendment of the Senator from Wisconsin is predicated on the return of the Census to this Department, but wherever we put the Census I think we ought to aim by our legislation to bring all the other statistical bureaus around it and consolidate them with it, so far as it is possible to be done.

MR. ALLISON. Now, Mr. President, one word. The Senator from Massachusetts seems to think that I am opposed to what he is for.

MR. LODGE. Not the least of it.

MR. ALLISON. I agree with him in everything he says appertaining to the consolidation of the different statistical bureaus wherever it is practicable. That is done now by this bill, and I am for it. I do not object to it.

MR. SPOONER. If the Senator will allow me, what is the particular provision to which he does object?

MR. ALLISON. I will endeavor to state the particular provision to which I object. It is that now, having ample provision already made, as I understand it, this amendment which I see before me in the hands of the Senator and which he is ready to comment upon I have no doubt, when I take my seat, provides that the Secretary of Commerce shall have complete control—that means something—of the gathering and distributing of statistical information. Now, that is number one. I submit that that goes beyond the scope of the original purpose and intent of the bill, which I am for and which I am going in my feeble way to support as best I can.

This Secretary is to have all this within his scope and purview, to begin with. He is then to get it first from original sources, if he chooses. Under the scope of this amendment, as I understand it—I may not be able to understand it; I hope to have it explained if I do not—if the Secretary chooses, instead of entering upon an original investigation, he can call upon the head of any other department for information which he is to have the complete control of, and it is made the duty of the heads of the departments to furnish to him what statistical data they have.

Now, to answer the Senator from Wisconsin [Mr. Spooner], my criticism is that, in establishing this Department of Commerce, we had better proceed in such a way as to give the Secretary additional powers, if he needs them, but not for the moment

to give him the powers that now devolve upon the heads of other Departments which are transferred to him by this bill. Here is an elaborate statute about the Bureau of Statistics. If we want to amend that statute, if it is not comprehensive enough, let us deal with it after we have made this segregation, if I may use that term, of bureaus from one department to another. That is my criticism.

On yesterday I was rather of the opinion that something ought to be inserted here, and I do not know but that I said so to the Senator from Wisconsin; but when I came to examine the statute as respects the Chief of the Bureau of Statistics, I found a comprehensive and carefully prepared statute, under which we have acted for twenty years without any great difficulty, and under which we have had numerous statistical abstracts of great value. They may not be as comprehensive as they ought to be or will be with this new head, who, it is to be supposed, will give particular attention to it and see to it that we have a volume which will contain all the information respecting our industries and occupations. What I want to do is to rest upon the statutes that we have and to transfer this Bureau as proposed to the new Department of Commerce; that is all.

Mr. SCOTT. The Senator is in favor, then, of establishing the new Department?

Mr. ALLISON. The Senator from West Virginia must have been absent a part of the time while I have been speaking.

Mr. SCOTT. No, sir; I have been here all the time.

Mr. ALLISON. I have been trying to say over and over again that I am in favor of this bill, and I have been trying, in a feeble way, perhaps, to suggest amendments which are proper. But just now I am absolutely in defense of the committee, because the Senator from Wisconsin [Mr. Quarles] proposes an amendment, and I am rather inclined to ask the committee to resist the amendment, because there is enough in the bill now for our present purposes.

Mr. NELSON. It is about the hour of 2 o'clock. I ask unanimous consent that we may continue the consideration of this bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 569) to establish the Department of Commerce. [January 22, 1902.]

The PRESIDING OFFICER. The pending question is on the amendment offered by the Senator from Wisconsin [Mr. Quarles].

Mr. SPOONER. Mr. President, I listened to the Senator from Iowa [Mr. Allison] with a great deal of interest and a great deal of pleasure. I do not know of anyone who is in the legislative public service who, taken all in all, is as familiar with the various departments of the Government as he is, and I am accustomed to defer to his opinion. But I hardly think the criticism which he makes upon the amendment proposed by my colleague is a just one. There are a number of bureaus transferred from various departments to this proposed Department of Commerce, including the Bureau of Statistics. The duties and powers of the Chief of the Bureau of Statistics are established by statute. They are very broad; but they are not interfered with, as I understand it, by this bill at all.

Mr. ALLISON. Not in the slightest degree.

Mr. SPOONER. Nor do I understand it to be the purpose of this amendment to interfere with them. The duties and functions of, I suppose, every bureau transferred from any department to this proposed new Department are defined by law, although many of those duties, and perhaps nearly all, are discharged under the direction of the particular Cabinet officer in whose department they now are. This proposed bill works no change in that respect. It provides—

That all laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service by this act transferred to and made a part of the Department of Commerce shall, so far as the same are not in conflict with the provisions of this act, remain in full force and effect until otherwise provided by law.

It is simply a transfer of these bureaus from one department to another more in harmony with the general purpose for which the new Department is created. The law in relation to the Bureau of Statistics, I understand, is not changed by this proposed bill, nor do I think it is proposed by the amendment introduced by my colleague to change it. That amendment is limited to the collection of statistics. Of course, there are a large number of bureaus here transferred which deal with specific subjects, as the Fish Commission, the Light-House Board, and the Bureau of Navigation. A large number of bureaus are transferred with the same officers, the same administration, the same functions to perform.

Now, as to the matter of statistics, my colleague, moved of course by the general expression which was made here the other day in favor of a centralization of the functions of collecting and publishing statistics, has drawn this amendment relating only to that particular subject:

The Secretary of Commerce shall have complete control—

Perhaps that language is a little stronger than need be, although that means only administrative control; I think it does not mean any more than to say that these duties shall be discharged under the direction of these various officers, except in one particular:

Shall have complete control of the work of gathering and distributing statistical information naturally relating to the subjects confided to his Department—

That is, to the work of gathering and distributing statistics to be obtained, as pointed out by law. This power ought to be given to a Cabinet officer whose department is charged with the general duty of collecting, distributing, and publishing statistics, because it will enable him to stop in some measure the duplication of statistics.

When this bill was introduced, the Geological Survey was transferred to this Department of Commerce. There were some good reasons, it seemed to me, why it should be transferred. If it had remained in the bill this power would have enabled the Secretary of Commerce to prevent a duplication of some investigations and reports of a statistical nature which confessedly now, at very large expense, are being duplicated.

In other words, it was stated here the other day, I think by the Senator from Iowa, that under the present system at large expense statistics covering the same subjects are being taken and published by different departments. It is costly and it is absurd. I know it was the general purpose of this amendment to give to the Secretary of Commerce control over the work of gathering and distributing statistical information, to the end that he might, as far as the subjects came within his jurisdiction, put an end to this duplication. It only gives him general administrative control, in my judgment. If it does more than that, it does too much, perhaps—

and to this end said Secretary shall have power to employ any or either of the said bureaus and to rearrange such statistical work.

He can not consolidate the bureau; he can abolish the bureau. Bureaus which have hitherto existed under the law, transferred to this Department of Commerce to discharge the same function, are still to continue, but in the matter of statistical distribution he is given control, and I think for a wise purpose, and we are to assume that it will be exercised for a wise purpose.

Mr. ALLISON. I think it will be.

Mr. SPOONER. I thought the Senator objected to that:

and to distribute or consolidate the same as may be deemed desirable in the public interest; and said Secretary shall also have authority to call upon other departments of the Government for statistical data and results obtained by them.

Not authority to compel them by request to engage in an original investigation to suit his purpose. They are not subordinated to him or to his Department in any way. The Department of Agriculture collects a great deal of very valuable statistical information. It can better be collected by that Department than by any other.

Mr. ALLISON. It is all included in the Abstract.

Mr. SPOONER. I know it is all included in the Abstract, but the point is to concentrate, if possible, the collection of statistical information. Why should not the Secretary of the Department of Commerce be authorized by law to call upon other departments for statistical information obtained by them? Is there anything at all offensive to a department in that language?

And it is hereby made the duty of such departments to furnish such information.

That is, statistical information only. That does not put any department in any way, in the discharge of their general duties and the general duties of administration, under the control of this proposed Secretary of Commerce. He should have a right to call on the departments, it seems to me, and it is a correlative provision. It requires them to respond to his request. We add to the duties of the departments all the time. They are statutory officials. They are created by the law. It is not any invasion of the dignity of the departments to provide that for a general public purpose, as to the mere matter of statistics, the Department of Commerce shall be at liberty to levy contributions, so to speak, upon all the other departments which collect statistics which should be massed and published as a whole.

I fail to see, unless it be in the use of the word "complete," warrant for a just criticism of this amendment. It leaves the bureaus with the same functions. The law is continued; the officials and employees are transferred to the new Department at their present grade and salaries. The duties are the same, except that when you come to the mere matter of collecting statistics—the distribution of statistics—that is put under the general control of the Secretary of Commerce. Does my friend think that that is offensive or would be properly offensive to any other department?

Mr. ALLISON. Mr. President, this amendment was offered this morning, and my attention had not been called to it. The language "having complete control of the gathering of statistics," I think, might lead to embarrassment. I know perfectly well that there is a great deal of statistical information that is valuable, I will say, to the farmers of the country that will not be found in an annual publication such as this will be; and yet I am afraid that it will be considered that the Secretary of Commerce, having control of all statistics coming within the purview of this law, will gather up a great many things that are now furnished—monthly bulletins, if you please, monthly communication by other departments—that are of value and are needed by the various industries and occupations of our country. Therefore my criticism would apply to that as well.

I do not object to the consolidation of the bureaus. I think that power is a very wise one. The census provision is a matter about which I am indifferent. I wished to have it stricken out, because I wanted the perfected bill of the Senator to appear and deal with it. I care nothing about that. I am willing to have these bureaus consolidated. I think the Secretary might very well have that power. But I do not think it is a wise thing to cut off, if need be, certain statistical information that may be gathered from time to time by other departments.

Mr. SPOONER. Does this do it?

Mr. ALLISON. It may do it. I am not sure that it does it, but I do not see the necessity of making here an ironclad provision. It is possible that as a courteous request it would be complied with by the other departments. I only made that criticism because it seemed to me the other departments would be subordinate to it. I should be glad if we could so finally provide for this new Department without too far intrenching upon the duties and powers of the other departments of the Government, and, therefore, in the general way proposed here for the transfer of bureaus with their present authority and powers I agree. That is my criticism in brief.

Mr. SPOONER. The amendment reads:

That the Secretary of Commerce shall have complete control of the work of gathering and distributing statistical information naturally relating to the subjects confided to his Department.

Mr. ALLISON. But nearly everything is "confided to his Department." He is to have control of all the industries and all the commerce of this country, external and internal.

Mr. NELSON. I will call the Senator's attention to the fact that the Secretary of Commerce will have nothing to do with the subject of agriculture. [Laughter.] That is not in the bill.

Mr. ALLISON. I am glad the Senator has suggested that, but I had already observed it accidentally. [Laughter.] I fell upon that situation myself; and therefore I do not know precisely how it occurred to the Senator. But I think it is wise for us to generalize, so far as we can, in transferring bureaus. Transfer the Census, if you will, although it will amount to nothing unless you devolve upon the present Director some new scheme or project or plan.

Mr. SPOONER. Of course, Mr. President, no one in the Senate is opposed to this bill, as I understand, but everyone here wants to perfect it as far as it can be done. I understand that amendment to refer to the bureaus which are transferred by this bill to the new Department, and the Secretary of that Department ought to have control of his own bureaus and the matters with which they deal.

Mr. QUARLES. Mr. President, I certainly feel great diffidence in discussing a question which relates to legislative history, especially if such discussion would make it necessary for me in any way to disagree with the distinguished Senator from Iowa [Mr. Allison]. I feel, however, that the Senator from Iowa has not gathered the object and purpose we have in this amendment, which is not at all to interfere with the gathering of these statistics. They are gathered now by several bureaus and edited and published by them. The principle of this amendment, stated briefly, is simply this: There can be only one standard of truth. To say that there could be more would be to bring reproach upon the truth and to recall the old query of Chaddband, "What is truth?" The Secretary of Commerce will, under this bill, have dumped into his office a vast amount of this statistical information, very much of it amounting to a duplication.

The question involved in this amendment, as I understand it, is whether the several reports of the several bureaus should go out to the people separately, containing all these duplications, or whether that material so acquired should be taken by this new Secretary, reviewed, edited, collated, and then sent out without duplications as the very facts, final, consistent, and conclusive.

As said by the Senator from Colorado [Mr. Teller] the other day, these several bureaus do not always agree. It will be the province of the new Secretary, I suppose, to take all this information and send it out to the people, backed by the

authenticity that it can only have by such a high source of truth and veracity as a department of this Government. So that we would save money, we would not reproduce the same thing, and we should secure accuracy. Those qualities lend the chief value to all statistics.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Wisconsin [Mr. Quarles].

Mr. COCKRELL. Let the amendment be again stated.

The PRESIDENT pro tempore. The amendment will be again stated.

The SECRETARY. In line 6, page 4 of the printed bill, strike out all after the words "Statistics and" down to and including the words "United States," in line 12, and insert in lieu thereof the following—

The PRESIDENT pro tempore. The amendment follows the amendment of the Senator from Missouri [Mr. Cockrell], which was adopted before the Senator came in.

The SECRETARY. The words proposed to be inserted are as follows:

That the Secretary of Commerce shall have complete control of the work of gathering and distributing statistical information naturally relating to the subjects confided to his Department; and to this end said Secretary shall have power to employ any or either of the said bureaus and to rearrange such statistical work and to distribute or consolidate the same as may be deemed desirable in the public interest; and said Secretary shall also have authority to call upon other departments of the Government for statistical data and results obtained by them; and it is hereby made the duty of such departments to furnish such information when so requested; and said Secretary of Commerce may collate, arrange, and publish such statistical information so obtained in such manner as to him may seem wise.

Mr. PERTUS. Mr. President, so as to raise the question directly, I move to strike out the words "and it is hereby made the duty of such departments to furnish such information when so requested"—the whole of that sentence. That is the exact objection of the Senator from Iowa [Mr. Allison], and I move to amend by striking out those words.

Mr. GALLINGER. How will it then read?

The PRESIDENT pro tempore. The amendment of the Senator from Alabama to the amendment will be stated.

The SECRETARY. It is proposed to amend the amendment, after the words "obtained by them," by striking out "and it is hereby made the duty of such departments to furnish such information when so requested."

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Alabama [Mr. Pettus] to the amendment of the Senator from Wisconsin [Mr. Quarles].

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question now is on the amendment of the Senator from Wisconsin as amended.

Mr. COCKRELL. Now let the whole clause be read together as amended.

The PRESIDENT pro tempore. It will again be read, including the amendments to the amendment which have been adopted.

Mr. COCKRELL. Yes; the amendments already agreed to from the beginning of the sentence "That the Bureau of Foreign Commerce," etc.

The SECRETARY. Beginning in line 23, on page 3, section 4, of the bill, after the word "Commerce," if amended as proposed, it will read:

That the Bureau of Foreign Commerce, now in the Department of State, be, and the same hereby is, transferred to the Department of Commerce and consolidated with and made a part of the Bureau of Statistics, hereinbefore transferred from the Department of the Treasury to the Department of Commerce. And the two shall constitute one bureau, to be called the Bureau of Statistics, with a chief of the Bureau and one assistant. That the Secretary of Commerce shall have complete control of the work of gathering and distributing statistical information naturally relating to the subjects confided to his Department; and to this end said Secretary shall have power to employ any or either of the said bureaus and to rearrange such statistical work, and to distribute or consolidate the same, as may be deemed desirable in the public interest; and said Secretary shall also have authority to call upon other Departments of the Government for statistical data and results obtained by them; and said Secretary of Commerce may collate, arrange, and publish such statistical information so obtained in such manner as to him may seem wise.

Mr. COCKRELL. Mr. President, I desire to call attention to the part of the amendment which reads, "said Secretary shall have power to employ any or either of the said bureaus." If that language refers to the two bureaus which have been consolidated in the sentence before, it is incorrect; if it refers to all the bureaus which have been placed under it, probably it would not be incorrect. What was the intention of the Senator from Wisconsin?

Mr. QUARLES. The intention of the amendment was to include all the bureaus covered into this new Department.

Mr. COCKRELL. And not to refer to the two bureaus that were brought in from the State Department and from the Treasury Department and consolidated into one?

Mr. QUARLES. I suppose the object was to give the Secretary control of the manner in which this work should be done and how the statistics should be arranged.

Mr. COCKRELL. We do not want two bureaus in one, with two chiefs, one an assistant to the other. That was expressly disowned and disavowed in the discussion. I do not want any language used here that may be interpreted in that way. The amendment reads:

And to this end said Secretary shall have power to employ any or either of the said bureaus and to rearrange such statistical work and to distribute or consolidate the same.

The question is whether we ought to give the Secretary power to consolidate bureaus.

Mr. QUARLES. No; that is merely to consolidate the statistical work. It does not reach the bureaus. I selected that word "work" so as to leave the bureaus to their ordinary functions.

Mr. COCKRELL. Then am I to understand that the words "to distribute and consolidate the same as may be deemed desirable in the public interest" refer only to the work and not to the Bureau?

Mr. QUARLES. Yes, sir; that was my intention.

Mr. SPOONER. I think since the Senator from Missouri [Mr. Cockrell] has called attention to the amendment it might be improved by a further amendment. Suppose we say "the bureaus in this act transferred to the said Department," so that the head of it, in gathering a certain line of statistics, could employ the proper bureau. It would simply give him general authority in that respect.

Mr. COCKRELL. I think it does that now. The amendment reads:

To this end said Secretary shall have power to employ any or either of the said bureaus and to rearrange such statistical work and to distribute or consolidate the same.

If that refers to the work, it is all right about distributing and consolidating; but if it refers to the bureaus, I do not think any Secretary ought to have such power.

Mr. FORAKER. I supposed the great purpose of this amendment was to consolidate the bureaus, to have only one Bureau of Statistics.

Mr. QUARLES. That has already been done.

Mr. FORAKER. I do not understand that it has been done. I understand the Senator from Missouri does not want the bureaus consolidated; he does not want the Secretary to have the power to consolidate.

Mr. COCKRELL. No. The amendment I have offered made it absolutely conclusive that it was to be one bureau, with one chief and one assistant—not two chiefs, one an assistant to the other.

Mr. FORAKER. I should be glad to have that distinctly brought out, because I think we ought to have only one Bureau of Statistics and have the consolidation of all into one. We ought to have a consolidation of the work, and it ought, of course, to be under the direction of the Secretary at the head of that Department.

Mr. COCKRELL. If this interpretation is correct, then the Secretary will have no authority to consolidate two bureaus.

Mr. ALDRICH. It is very evident that this is a very comprehensive amendment to a very important bill, and it is somewhat complicated, I judge, from the remarks made by Senators around me. I will suggest, therefore, that this amendment be printed—I think it has not been printed in the form in which the mover desires to have it presented—and that its further consideration be postponed until to-morrow.

Mr. FORAKER. May I make a further suggestion, that the bill, with all the amendments which have been adopted, be also printed?

Mr. ALDRICH. Yes.

Mr. COCKRELL. It ought to be printed as it has been amended, so that we can see what it proposes to do.

The PRESIDENT pro tempore. The Senator from Rhode Island [Mr. Aldrich] asks unanimous consent that there be a reprint of the bill, with all the amendments adopted to the present time.

Mr. NELSON. And also that the pending amendment be printed.

The PRESIDENT pro tempore. And that the pending amendment be printed. Is there objection to the request? The Chair hears none, and that order is made.

Mr. PETTUS. Mr. President, I want to go along with the other amendments—I move to strike out the Department of Labor from this bill.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Alabama will be stated.

The SECRETARY. On page 3, section 4, line 19, after the word "that," it is proposed to strike out "the Department of Labor and."

Mr. CULLOM. If the bill is disposed of for the present, I move that the Senate proceed to the consideration of executive business.

Mr. TELLER. Have the words just read been stricken out?

The PRESIDENT pro tempore. Does the Senator from Illinois withdraw his motion for the present?

Mr. CULLOM. I withdraw it for the present.

The PRESIDENT pro tempore. The Chair will state, in reply to the Senator from Colorado [Mr. Teller], that the amendment referred to has not been adopted. It is pending.

The debate in the Senate was again taken up on January 23, 1902:

Mr. NELSON. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 569) to establish the Department of Commerce and that it be considered without the limitation of the five-minute rule.

The PRESIDENT pro tempore. The Senator from Minnesota asks unanimous consent that the Senate proceed to the consideration of the bill known as the Department of Commerce bill, and that the five-minute limitation of debate be removed. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 569) to establish the Department of Commerce.

The PRESIDENT pro tempore. The pending question is on the amendment offered by the Senator from Wisconsin [Mr. Quarles].

Mr. PLATT, of Connecticut. What is that amendment?

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In line 6, on page 4, of the printed bill, strike out all after the words "Statistics and" down to and including the words "United States," in line 12, and insert in lieu thereof the following:

That the Secretary of Commerce shall have complete control of the work of gathering and distributing statistical information naturally relating to the subjects confided to his Department; and to this end said Secretary shall have power to employ any or either of the said bureaus and to rearrange such statistical work and to distribute or consolidate the same as may be deemed desirable in the public interest; and said Secretary shall also have authority to call upon other Departments of the Government for statistical data and results obtained by them; and said Secretary of Commerce may collate, arrange, and publish such statistical information so obtained in such manner as to him may seem wise.

Mr. NELSON. Owing to the adoption of the amendment of the Senator from Missouri [Mr. Cockrell], by which the phraseology has been changed, the amendment would properly come in after the words "assistant and," in line 7, on page 4, of the last print of the bill. It is intended to take the place of the words in brackets, which are proposed to be stricken out. I move to amend the amendment so that it will come in at the place I have indicated.

Mr. HALE. The amendment—

Mr. NELSON. I want to say to the Senator from Maine that the pending amendment was offered yesterday before the amendment of the Senator from Missouri, in italics, on page 4, was adopted. Has the Senator got that print of the bill?

Mr. HALE. I suppose I have it.

The PRESIDENT pro tempore. The Chair calls the attention of the Senator from Maine [Mr. Hale], if he has risen to this amendment, to the fact that the printer undoubtedly made a mistake and included in the words to be stricken out the word "and" in line 7. The word "and" should not have been stricken out, but should stand there, and the Senator from Minnesota suggests that this proposed amendment follow the word "and."

Mr. HALE. In line 7?

The PRESIDENT pro tempore. In line 7.

Mr. HALE. What has become of the words and lines that are inclosed in brackets on page 4?

Mr. NELSON. The amendment of the Senator from Wisconsin [Mr. Quarles], which is the pending amendment, is not additional to that, but is to be substituted for the words in brackets.

Mr. HALE. That puts it in the right parliamentary attitude.

Mr. NELSON. Yes.

Mr. HALE. Afterwards the Senator proposed the restoration of the Census Bureau to this bill by a vote in the Senate on the proposition to strike it out, as I understand.

Mr. QUARLES. Yes; or by a motion to reconsider the vote by which the amendment was adopted.

Mr. HALE. Supposing that is not done; supposing that the Senate adheres to its previous vote to strike out the Census Bureau from the provisions of this bill; would the amendment the Senator is now urging apply?

Mr. QUARLES. I think it a very valuable addition to the bill, even though the Census were to remain out of the new Department; although, as I stated yesterday,

my object was primarily to have the Census Bureau restored to the Department of Commerce. Then this general supervising power will be extended over it; but I think it a very valuable provision even if the Census be stricken out.

Mr. HALE. That is, there will be enough left in the bill to make ~~the~~ provision valuable, even if the Census Bureau is not in it?

Mr. QUARLES. Yes.

Mr. HALE. Though it would not be nearly as much so as if the Census Bureau were left in?

Mr. QUARLES. I think the Senator is right.

The PRESIDENT pro tempore. Does the Senator from Wisconsin [Mr. Quarles] accept the suggestion of the Senator from Minnesota [Mr. Nelson] that this amendment come in after the word "and," in line 7 on page 4, section 4?

Mr. QUARLES. Certainly, Mr. President. I think that is right.

The PRESIDENT pro tempore. The question is on the adoption of the amendment. The amendment was agreed to.

Mr. PETTUS. Mr. President, in reference to this bill, the great leader from Iowa [Mr. Allison] gave us notice yesterday that we ought to proceed with caution. The amendment which I have offered is to strike out, in line 18 on page 3, section 4, of the bill the words "the Department of Labor."

The Department of Labor, according to the testimony of Senators who have been here a long time and who are perfectly familiar with the workings of the departments and bureaus, has done and is now doing a great work. I am not very familiar with the workings of that department, but according to my information it is a very useful department of the Government, and has already contributed very largely to the work for which it was designed. It is in a very fortunate situation if the law is allowed to stand as it is. It is not an executive department, but it is simply a department under the general administrative control of the President. It is not directly under the control of any executive department at this time, and, according to my best thought about it, it ought not to be.

The Department of Labor was organized at the earnest solicitation of those who are principally interested in it. We know that that is a very extensive element in this country, and it ought to be treated with the consideration which it deserves. Besides that, Mr. President, legislators are bound to respect even the prejudices of a whole community of people; they are bound to respect them even if they are simply prejudices; and one of the great prejudices which exists in this country is against putting labor under the control of capital.

It seems that in many respects what I call prejudice may be something that is well founded. It may be that it has gone to great excesses; but this Department of Labor has been one of the favorite ideas with a large part of the people of this country for many years. I suggest that, as we are creating a new department, a department of commerce—it might just as well have been called a department of trade—it would be well enough, in fact the best thing that could be done, to leave the Department of Labor to its well working as it is.

Mr. NELSON. Mr. President, without going into any extended discussion on the subject-matter of this amendment, I desire to say that there are one or two fundamental reasons and grounds which actuated the Committee on Commerce to attach the Department of Labor to the Department of Commerce. First, we believe that for the proper and due administration of government every bureau of the public service, as far as possible, should be attached to a responsible executive department—an executive department whose head is one of the President's advisers and who is in touch with the executive department of the Government. We do not intend by this amendment to reflect in the least upon the character of the present head of the Department of Labor. He is a very able man, but he will not always be with us.

We are liable to have men in the future not so able and so good as he is, and it is altogether safer for the public service to have a division or a bureau of this kind under some responsible executive department. As it is now, we have this and one or two other cases where we have independent bureaus or divisions. No matter whether you call them departments or not, they are really bureaus, because they are not executive departments. They occupy a sort of irresponsible position; they are a law unto themselves; they are governed by Congressional legislation, like other departments, but they are in no direct touch with the head of an executive department of this great Government. They are outside of any department, and the committee felt that for the good and due administration of business we ought to have every bureau and division in the public service attached to one of the great departments of the Government.

There is another view of the case, and that, speaking for myself, I regard as the most important. The laboring men of this country—and I think I am as good a friend to the laboring men as anybody; I have been a sort of laboring man all my

life—are interested in a great many other subjects besides the mere question of labor. They are interested in the commercial and industrial life and development of this country. There is no class of people more interested in the manufacturing industries of this country; in the inland and the foreign commerce of this country; in the mining and fishery industries of this country.

Now, by putting the Bureau of Labor into this great Department of Commerce you enable that Department to articulate and work in harmony with all the other industrial enterprises of the country. The laboring men and their department are as vitally interested as any class of our people can be in the progress of our manufacturing industries and in all that pertains to our industrial life. Occupying an isolated position, as they do, they are necessarily confined to the one subject of the labor question and the laws relating to that subject, but when they become a part of a great department of commerce and industries they indirectly have a voice and have something to say on all those other great and important and vital questions in which they are interested.

Now, I desire to say another thing. I believe the best way to treat the Senate is as a good Methodist brother would treat his fellow-associates in camp meeting, and that is to tell the honest truth. In respect to this opposition from the laboring men, which some think is so serious, I want to say to Senators that this bill, substantially in its present form, was reported in the early part of the last session of Congress. It was on the Calendar, and was known all over the country, and it was well known throughout the country that it proposed to attach the Department of Labor to the great Department of Commerce. No protests, no objections came to me, nor, so far as I know, to any other member of the committee.

The first protest I had was from an officer connected with that department, who came up here one day in the latter part of the session and called on me. He said there were a great many objections among the laboring men to this plan of attaching the Department of Labor to the Department of Commerce. I told him I had not heard of a protest, nor, as far as I knew, had any other member of our committee. It is my honest opinion—and I do not want to do anybody an injustice—that whatever opposition has come from labor sources has to a large extent been inspired from the inside of the Department of Labor. I do not say it is so absolutely, but from what little I know and from my acquaintance with the subject I am led to that conclusion.

Now, while I am talking on that subject, I may say that we have another independent bureau here, called the United States Fish Commission. It is always the case with these independent concerns that they love to be in the air, outside the control of any great executive department. They love to be in such condition that they have, as you might say, nobody to look to. I found in the case of the Fish Commission that men in the scientific force of the Commission had been sending out letters and telegrams over the country to their friends, calling their attention to the fact that the scientific work in the Fish Commission could not be well performed if the Commission were attached to the Department of Commerce.

I desire to state that it is not the purpose of this bill to change the work or the scope of the work of any of these bureaus, either of the Fish Commission or of the Department of Labor. We simply believe that the laboring men are not only interested in the work of the Bureau of Labor, but that they are interested in all that pertains to a department of commerce and industries, in all that pertains to a department which is intended to help our commercial, our manufacturing, our mining, and our fishery industries, and that by working in harmony and as a part of this great department of industries they can do more justice to their own work and will be in better shape to reach out and do some good in reference to these other branches committed to the Department of Commerce.

The committee never intended by the transfer of either the Department of Labor or the Fish Commission to the Department of Commerce to reflect in the slightest on the management of those Bureaus or divisions of the public service. We simply felt that it was far better to have every one of these great bureaus and departments attached to an executive department which was not only in touch with Congress, but directly in touch with the head of the executive department of this Government.

I am unwilling to take up any further time of the Senate. I have stated the facts in this case as they seem to me and as they appear to the committee, and I think it would be a great mistake and a great injustice to leave the Department of Labor outside by itself independent of any executive department.

Mr. BACON. Mr. President, I listened quite carefully to the remarks of the distinguished Senator from Minnesota [Mr. Nelson], and he presents his case very clearly. At the same time I think there are reasons why it would be better that this department should be permitted to remain as it is. If it were an original proposition for the creation of the Department of Labor, and the question were whether it should be allowed to be an independent department or whether it should be cre-

ated as a bureau in the Department of Commerce, the suggestions of the Senator from Minnesota would certainly be quite cogent. But we have an existing Department of Labor, the work of which is criticised by no one. On the contrary, it is commended in the highest degree, and nobody takes exception to the commendation bestowed upon it.

Now, let me read, Mr. President, what was said yesterday in the Senate by the Senator from New Hampshire [Mr. Gallinger], the present occupant of the chair, in response to an inquiry made by me as to the character of the work now done by the department in its present situation, a situation independent of any connection with any of the great executive departments, as we generally term them. I read from yesterday's Record, and in order that the reply made by the Senator from New Hampshire may be correctly understood, I will read the inquiry propounded by myself which elicited that reply. The inquiry I addressed to the Senator from New Hampshire while he was upon the floor and by his courtesy was this:

MR. BACON. My inquiry is, whether, in the practical operation of the present Department of Labor, there has developed any such inefficiency as requires that its status shall be changed and that it shall be put under one of the great Executive Departments.

To which the Senator from New Hampshire replied as follows:

MR. GALLINGER. Well, Mr. President, I think we will all agree that no man has been rash enough to assert here or elsewhere that the Department of Labor as at present constituted has not done magnificent work or that it is subject to any criticism whatever; and yet it is an independent department under the law to-day. The committee thought it was wise to include it in this new Department. That is all. It may not be wise to do so, but the committee thinks it is. The Senate may think otherwise, and of course the committee will yield to the judgment of the Senate.

I could not, Mr. President, if I tried, utter words of too great praise for the distinguished statistician who is at the head of the present Department of Labor. His work is beyond praise; it has commended itself to all classes of our people; and I have never heard a word uttered by any man in public life in criticism of the administration of that Department.

MR. NELSON. Will the Senator allow me a brief interruption?

MR. BACON. Certainly.

MR. NELSON. I shall take up his time but for a moment.

MR. BACON. I yield with much pleasure.

MR. NELSON. I expressly stated a moment ago that neither the committee nor I intended this as the least bit of criticism or reflection upon the Department. That was not our purpose at all. In the next place I called attention to the fact, and I ask the Senator to bear it in mind, that we do not attempt by this bill to disturb the functions and the work of the Bureau of Labor. It is neither a reflection upon the management nor a purpose to revolutionize the work.

MR. BACON. I am sure nobody misunderstood the honorable Senator from Minnesota. I did not, and I did not intend by anything I said to indicate in the least that there was any purpose or expression by him otherwise than that which he has now stated to the Senate.

The statement of the Senator is in effect a corroboration of that which was stated by the Senator from New Hampshire, and which I have just read, and it adds to the force of it. I do not intend in the slightest degree to indicate that the Senator from Minnesota intends by this to cast any reflection upon the Department of Labor as now constituted or upon its work. On the contrary, I take what he says as evidence to the contrary and as a reason why the present status should be allowed to remain undisturbed. If a change is to be made, there should be some reason indicated which would suggest that there would be an improvement in the service, that some good end would be accomplished. If no good is to be accomplished, if no improvement is to be secured, then the possibility that the contrary may result should be carefully considered by the Senate.

The creation of a new and independent Department other than the great Executive Departments is not a new proposition, Mr. President. The Department of Agriculture was an independent department. It was created in the year 1862 and remained for more than twenty years, before it became one of the Executive Departments, an independent department of the Government under the control of the Commissioner of Agriculture, who was required to report directly to Congress. It is a mistake, as suggested by the Senator from Minnesota, that these Departments are left without control and without the duty to report to any superior. The Agricultural Department, for twenty-odd years an independent department, presided over by a Commissioner, reported directly to Congress and not to any of the Executive Departments, and as to the Bureau of Labor, the original act, I think, was passed seventeen years ago, although the present one was passed thirteen years ago. The original act, if I recollect correctly, of which the act I now hold in my hand was amendatory, was three or four years before that.

MR. ALLISON. The original act was passed in 1884.

Mr. BACON. The Senator from Iowa states it according to my recollection, and I am obliged to him for the definite information. It was passed in 1884, and under the act of 1888 the work of the Department was very much enlarged and its present status was created.

Mr. ALLISON. It was established in 1884 as a part of the Interior Department and made independent in 1888.

Mr. BACON. I am glad the Senator has called attention to that fact, because it, too, emphasizes the fact that this is not an exceptional matter and is not an accidental matter. Here was a department which was originally a part of the Interior Department, and which Congress in its wisdom thought best to establish as an independent department in 1888. Therefore the act of 1888 was enacted, and since that time it has been an independent department, reporting directly to the President and to Congress, and doing not simply good work, but doing what the Senator from New Hampshire terms here perfect work, beyond all criticism, entitled to all praise. The Senator from Minnesota himself corroborates it and stands by it.

There is the old Latin maxim—*quieta non moveo*. When a thing established is moving satisfactorily do not change it, if I may use so liberal a translation or construction of it. It is one of many of a similar kind that may be given to it. Why experiment with that which is now in a satisfactory condition?

This is not an ornamental department by any means. It is one doing a great work. It is one doing a work which concerns a vast multitude of the people of this country—a multitude of people who are not in a position always to represent their interests in the most effective manner. It represents a vast multitude of people interested in a business which touches all the great industries of this country, a vast multitude of people engaged in that which concerns the great capital of the country, a vast multitude of people whose relations with the capital and the industries of the country are most important—relations the importance of which can not be overestimated; relations the importance of which is to-day challenging the consideration of the best minds in this land and of those most largely interested in these great enterprises, some of whom are members of the Senate and who have indicated their interest in the matter by the work which they have been doing and are now doing.

Mr. President, if there were no other reason than the fact that after this Department has once been a subordinate bureau of a great executive department, the United States Government thought it of sufficient importance to take it out and make it an independent department, and that it has remained so for thirteen years, and stands to-day beyond the criticism of anyone in this Chamber, and that nobody challenges the high eulogium pronounced upon it—I say that if there were no other reason it ought to be sufficient to control us—that after such an experience and with such a condition to make a change would to a certain degree belittle it, and that we ought not to belittle it, whether there is anything practical in it or not. If it is a mere sentiment, that sentiment ought to be regarded, concerning as it does so large a constituency.

I said this was not an ornamental bureau. I want to read to the Senate the law prescribing the duties of this Department. I do so in connection with the repetition of the statement already several times made that it has been an independent department after having been so created out of what was before a dependent department. The first section creates the Department and provides for the appointment of its Commissioner. Section 3 provides for the staff—the number of employees. Section 7 is one of the sections in which there are enumerated the duties of the Commissioner and the work which shall be done by the Department.

That the Commissioner of Labor, in accordance with the general design and duties referred to in section 1 of this act, is specially charged to ascertain, at as early a date as possible and whenever industrial changes shall make it essential, the cost of producing articles at the time dutiable in the United States, in leading countries where such articles are produced, by fully specified units of production and under a classification showing the different elements of cost, or approximate cost, of such articles of production, including the wages paid in such industries per day, week, month, or year, or by the piece; the hours employed per day; and the profits of the manufacturers and producers of such articles; and the comparative cost of living and the kind of living.

It shall be the duty of the Commissioner also to ascertain and report as to the effect of the customs laws, and the effect thereon of the state of the currency, in the United States, on the agricultural industry, especially as to its effect on mortgage indebtedness of farmers, and what articles are controlled by trusts or other combinations of capital, business operations, or labor, and what effect said trusts or other combinations of capital, business operations, or labor have on production and prices. He shall also establish a system of reports by which at intervals of not less than two years he can report the general condition, so far as production is concerned, of the leading industries of the country. The Commissioner of Labor is also specially charged to investigate the causes of and facts relating to all controversies and disputes between employers and employees as they may occur, and which may tend to interfere with the welfare of the people of the different States, and report thereon to Congress. The Commissioner of Labor shall also obtain such information upon the various subjects committed to him as he may deem desirable from different foreign nations, and what, if any, convict-made goods are imported into this country, and if so, from whence.

SEC. 8. That the Commissioner of Labor shall annually make a report in writing to the President and Congress of the information collected and collated by him, and containing such recommenda-

tions as he may deem calculated to promote the efficiency of the Department. He is also authorized to make special reports on particular subjects whenever required to do so by the President or either House of Congress, or when he shall think the subject in his charge requires it. He shall, on or before the 15th day of December in each year, make a report in detail to Congress of all moneys expended under his direction during the preceding fiscal year.

SEC. 9. That all laws and parts of laws relating to the Bureau of Labor created under the act of Congress approved June 27, 1884—

The act to which the Senator from Iowa called my attention—

so far as the same are applicable and not in conflict with this act, and only so far, are continued in full force and effect, and the Commissioner of Labor appointed under said act.

The rest of it is directory as to some of the work, etc.

Now, Mr. President, suppose it be possible that the change may work to disadvantage. Is not even the fact of the possibility enough to give us pause in the matter, because we stand in the face of what is conceded by all to be a perfect machine, a perfect working machine, one doing most important work, and, as mentioned by the Senator from New Hampshire, work beyond all praise in its efficiency?

Now, the Senator from Minnesota made one suggestion to which I think it is proper to allude, not for the purpose of criticizing it, but for the purpose of seeing whether or not a conclusion may not be legitimately drawn. The Senator says he thinks the opposition to the transfer of the Department of Labor comes from the inside of the Department of Labor. If so, there must be some reason for it. Here is a Department which has all praise. Here is an officer who has accomplished a great work, an officer now in charge of it, an officer intended to be continued in charge of it. He must have some good reason if he thinks it will work ill to have the Department put into the Department of Commerce or any other department. He must from the experience which he has—

Mr. LODGE. May I ask the Senator from Georgia a question?

Mr. BACON. Certainly.

Mr. LODGE. Do I understand him to say that the Commissioner of the Department of Labor, Colonel Wright, is opposed to this change?

Mr. BACON. I do not say so; but I say the Senator from Minnesota, in his presentation of the reasons why this Department should be put under the Department of Commerce, said he was satisfied that the opposition to the inclusion of it in the Department of Commerce came from the Department of Labor.

Mr. LODGE. Yes; but I do not understand he said it came from the Commissioner.

Mr. BACON. Well, I do not say so. I do not say it comes from anybody. I am simply repeating—

Mr. LODGE. I merely want to say in this connection, if the Senator will allow me, that the Commissioner of the Department of Labor comes from my State. He is an old personal friend of mine. He lives in my neighborhood in the State. He lives in the district which I formerly represented in the House. I have known him many years. Nobody has a higher opinion of him than I have, and if he is opposed to giving the Department of Labor Cabinet representation, then I very much misunderstand his attitude.

Mr. BACON. I will ask the Senator this question. I have no information whatever on the subject, and I am simply repeating what the Senator from Minnesota said. I never heard any suggestion except that made by the Senator from Minnesota. It would go a long ways with me—

Mr. LODGE. I did not understand that the Senator from Minnesota meant to imply that the Commissioner is opposing it.

Mr. NELSON. I did not. I did not say the Commissioner was, but I said whatever opposition had been worked up against this among the laboring interests was inspired from the inside of the Department, and I think there are Senators on the floor who can bear witness to the fact that the labor interests of this country as a whole are not opposed to this transfer.

Mr. BACON. What I was saying, and to which I should like to have the attention of the Senator from Massachusetts, is this: Is he prepared to state that this distinguished and efficient officer favors this measure? It would go a long ways with me toward dissipating whatever objection I might have to it.

Mr. LODGE. I have had in the past a great many letters from labor organizations urging the creation of a department, so as to give to the interests of labor as well as to the interests of commerce and industries Cabinet representation. That could only be done, of course, by putting the Department of Labor into an executive department. It was not sufficiently large to make an executive department by itself. Therefore it was joined, as I understood, with other subjects. That was my understanding of the bill. I have not this winter talked with Colonel Wright about it, but I have certainly understood in the past that he favored that scheme. If he does not, it is very strange that he should have concealed it from me, because he has

usually talked with me with great freedom about any matters before the Senate affecting his Department. I certainly understood he was friendly to it.

Mr. BACON. I should like to ask the Senator this question: Has it not been his understanding that Mr. Wright desired the Department of Labor to be elevated to the rank of an executive department, which would entitle it to an officer commonly called a Cabinet officer, although there is no such officer known by such title to the statute law? Is not that the fact? Or is it true that the Senator has ever had from that officer any expression which would indicate that he desired it attached to some other department in order, through the executive officer of that department, that his Bureau should have Cabinet representation?

Mr. LODGE. I understood that he favored having the Department of Labor in an executive department with Cabinet representation. Of course he realizes, as everybody must realize, that his Department alone would not be sufficient to constitute a Cabinet department; that it must be united with other cognate matters. My very strong impression has been that he has favored for a long time some organization of this kind.

Mr. HALE. Let me ask, if the Senator from Georgia will allow me——

Mr. BACON. Certainly.

Mr. HALE. Is the Senator from Massachusetts certain in his own mind that the Commissioner of Labor, at the head of what is now called the Department of Labor, an independent organization, desires that his Department shall be merged in another new department, of which it becomes simply a bureau?

Mr. BACON. And he a subordinate.

Mr. HALE. And he a subordinate. I do not know; I have not the relations with the Commissioner of Labor which the Senator from Massachusetts has; but unless he is very confident of that, I should have very grave doubts whether the Commissioner of Labor, who is a very efficient officer and who has an independent work, and who is not a subordinate of any department, would desire that he should be put into this new Department as a subordinate, with his Department as a single bureau, and a bureau which, if the amendment of the Senator from Wisconsin prevails, may at any time be consolidated with other bureaus. The Senator from Massachusetts sees the condition.

Mr. LODGE. I see that.

Mr. HALE. Is he very well assured on that point?

Mr. LODGE. I am certain that the Commissioner of Labor is in favor of the consolidation of the statistical departments so far as possible. I have had talks with him about that many times. I have always felt that he is a man above all others to be the head of the permanent census. I think he has felt this to be the true organization of the statistical departments of the Government. I have not talked with him, I repeat, this winter, in regard to this specific bill, but I have always understood from him that he feels that labor ought to be directly represented in the Cabinet, and that he favors a bill of this kind because it is impossible to make a Cabinet position out of his Department alone; it is necessary to add other matters.

Mr. BACON. Mr. President, I submit that if the Senator will confer with his friend, the Commissioner, he will find that the idea of the Commissioner is to have something added to his Department and thereby create that into a regular department, and not that he now contemplates the idea that he shall be made a subordinate of some other department and his Department a mere bureau, which, as the Senator from Maine says, under the amendment offered may hereafter be simply merged into and consolidated with some other bureau.

Mr. LODGE. I think it is a question of names. If you call this new Department the "Department of Labor" and put into it all the commercial bureaus from the Treasury Department, it would suit me exactly as well. What I want to get is improved administration, and that I think we are going to reach.

Mr. McCOMAS. Could we not call it the "Department of Commerce and Labor?"

Mr. LODGE. You can call it anything you please so we get the result, which I believe will be the better administration of many important bureaus which ought to be grouped under one department instead of being in a department, as some of them are now, which is overloaded with other work.

Mr. BACON. Mr. President, not to detain the Senate, I wish to call attention to what I consider to be the true, practical considerations in this matter. One I have already stated, and I will repeat it in brief. It is that we now have a perfect working Department, and it is altogether within the range of probability that if we subordinate the Commissioner of Labor to the head of a department there may be such interference and such embarrassment as to impair that which all now say is a perfect work and needs no improvement.

That is one consideration. The other, to which I have already alluded, is that the great mass of the constituency of this country who are directly presumed to be

interested in this matter will be the better satisfied if it does not appear that this Department, which was once a subordinate bureau, and out of that subordinate bureau elevated into the dignity of an independent department, has been again reduced to the status of a dependent, subordinate bureau in another department. I think, even if the latter is nothing but a sentiment, those who are interested in that sentiment are sufficient in their importance and in the interest which they represent to command our respect for that sentiment.

Now, Mr. President, I will simply read one sentence from a letter which was read yesterday in the Senate. It was laid before the Senate by the President pro tempore of the Senate, to whom it had been addressed by the president of the American Federation of Labor, Samuel Gompers, protesting against the inclusion of the Department of Labor, now an independent Department, in the Department of Commerce as a subordinate bureau. The letter was addressed to the President pro tempore, as I said, and by him laid before the Senate and read at length. The concluding sentence of it alone I now read, because it appears in full in the Record of yesterday's proceedings:

It is therefore urgently requested that in the event that the honorable Senate should deem it wise to enact Senate bill 569, that the Department of Labor as now constituted may be eliminated from its provisions.

I understand that the Federation of Labor really represents the leading labor organizations of the United States, and unless there is some good, controlling reason why it should be so included, having now a Department working well, that simple request, I think, ought to be regarded by us.

For that reason, Mr. President, I trust that the amendment offered by the Senator from Alabama may prevail.

Mr. HANNA. Mr. President, as a member of the subcommittee who have had in charge this bill now for more than a year, having giving the subject a great deal of study and attention, and being to a very great extent familiar with the sources from which this demand comes, I feel that the discussion of the bill has not fairly presented the case to the Senate.

The object of the proposed Department of Commerce is to secure more detailed attention, more concert of action on the part of the Government to the great industrial interests of the country as well as the commercial interests, and when I say industrial interests I mean to include capital and labor as well.

It is a well-known fact that when our Government was organized there were but three departments of Government. As the country has grown in population and wealth and development additional departments have been organized to meet the necessities of the case. That condition has always come as a result of overburdening all the departments transacting the business of the Government, and that is the condition to-day, Mr. President, particularly with regard to the Treasury Department and the Department of the Interior. In the growth and development of our country new conditions and varied conditions have made it an absolute necessity to organize bureaus in order that the interests of these industries could be looked after. That has necessitated the attachment of those bureaus to one department or another until, as I said, both the Treasury and the Interior Departments are to-day overloaded.

Now, I believe, as a matter of principle, it is all important that there should be no independent bureau representing any interests, but all should be attached to some department or another under the executive influence of that department.

Mr. HALE. Will the Senator let me ask him a question?

Mr. HANNA. Certainly.

Mr. HALE. Adopting that general rule, the force of which I see, what would the Senator do with the Interstate Commerce Commission? That is a purely independent body.

Mr. HANNA. If I was going to attach that Bureau to a department, I would attach it to the Department of Justice. It is purely a judicial body, as I understand it.

Mr. HALE. If the great end and aim of this bill, for which I know the Senator has been earnestly and seriously engaged for years, is to include foreign commerce, internal commerce, manufactures, and all that relates to the great laboring interests of the country engaged either in foreign commerce, internal commerce, or manufactures, certainly the Interstate Commerce Commission, which is simply judicial in its decisions affecting interstate commerce, ought to be under the head and control of this Department, it seems to me, if any of these other bureaus are to be attached to it.

Mr. HANNA. If the Senator will offer that as an amendment I will vote for it.

Mr. HALE. I am preparing an amendment now to that effect.

Mr. HOAR. Will the Senator allow me to ask him a question?

Mr. BACON. I would remind the Senator from Maine, with the permission of the Senator from Ohio, of the fact that the Supreme Court of the United States has determined that it is not a judicial body.

Mr. HOAR. I will ask the Senator if he thinks it would be proper to put a purely judicial function of the Government into any executive department whatever?

Mr. HANNA. I must ask that I be not led away from the argument I am trying to make by a proposition which is not before the Senate. We are discussing the question as to whether or not the Bureau of Labor shall become a part of this Department. I say that it should; and when the statement is made on this floor that the laboring interests of this country are opposed to it, I do not believe it. I recognize that Mr. Gompers, president of the Federation of Labor, represents a large element of those people and speaks with authority for himself, representing the organization that he does.

But that the whole army of laboring men in this country are opposed to this measure I deny. It has been my privilege to discuss this question with labor leaders many times during the last year, and most of them are heartily in favor of a department of the Government to be called the labor department; and if you call it the labor department and attach all else that is provided for in this bill to that department, you will get a letter from every one of them supporting it.

It does not make any difference what the name of this department may be, as an industrial feature it represents capital as well as labor. There is no interest in the United States to-day that demands the attention of Congress to help and further our development more than this very question of having an established department of the Government, acting in concert with like departments all over Europe and the civilized world; for a department of commerce is established and acting along these lines in every nation that competes with us in the markets of the world.

It makes no difference whether you call it commerce, industry, and labor, or one of the three, the object is, as I understand it, to bring into concrete form an organization as a department of this Government that shall be charged with and shall be responsible for looking after and furthering the interests of our industries and commerce along the same line and for the same purpose for which all other departments were organized, and particularly that of Agriculture.

It has been stated that the Department of Agriculture was organized and in operation as a separate bureau for twenty years before it was made into a Department. That, I presume, is the fact; but it is no less a fact that all the branches of industry which have contributed to the necessity for a department of commerce are clamoring here to-day for the same recognition, and they urge the same reason.

The PRESIDING OFFICER (Mr. Gallinger in the chair). The Senator from Ohio will suspend for a moment. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes.

Mr. LODGE. I ask that the unfinished business may be temporarily laid aside.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Massachusetts? The Chair hears none. The Senator from Ohio will proceed.

Mr. HALE. The Senator from Ohio is not quite right in saying that the Agricultural Department for years was a bureau under any department. It was like the Department of Labor.

Mr. HANNA. I did not say that it was under any department.

Mr. HALE. It was not a bureau. It was called the Department of Agriculture.

Mr. HANNA. It had no Cabinet officer.

Mr. HALE. It had no representative in the Cabinet, but for more than twenty years it was like the Department of Labor, and like the Fish Commission, and perhaps one or two others, an independent department technically, without having a head in the Cabinet, but it had no relation as a bureau to any department.

Mr. HANNA. I understand that; I appreciate it; and that is a growing evil, if I may call it such, in reference to our departmental or bureau organization. The development of the country in all its ramifications makes it important and necessary that some factor of Government should give attention to those particular interests. These bureaus multiply. If, as you have proposed to do, you strike from this bill the Bureau of the Census you might go on, if you want to defeat the bill, and strike every other bureau from it that would give it any standing or make any demand for such a department.

Now, in reference to the Census Bureau, if it is the intention of the Government to make that a permanent bureau—

Mr. CLAY. Will the Senator let me ask him a question in connection with what he has said?

Mr. HANNA. Certainly.

Mr. CLAY. The main purpose of this bill is that "it shall be the province and duty of said bureau, under the direction of the Secretary, to foster, promote, and develop the various manufacturing industries of the United States and markets for the same at home and abroad, domestic and foreign, by gathering, compiling, publishing, and supplying all available and useful information concerning such industries and such markets, and by such other methods and means as may be prescribed by the Secretary or provided by law."

I understand that is the prime purpose of the bill, and it was proposed to transfer the Labor Department and the Census Bureau to this new Department, simply to enable the new Secretary to carry out the original designs of the bill. As I understand it, neither the majority nor the minority of the committee had it in view to cripple or in any way injure the labor interests of this country, but that the labor interests would in no wise be affected by this transfer; that the Labor Department would be continued to be operated just as it had been in the past, and that these departments were transferred to the Department of Commerce simply to aid that Department in carrying out its purposes.

Mr. HANNA. That is all right; I do not object to that statement; nor do I anticipate that the proposed transfer will in any way interfere with the efficiency of any of these bureaus. If we are to make the Census Bureau a permanent organization, it is to be done for what purpose? To enumerate in every decade our population? No; but in order that the Government may have upon file the statistics gathered every year in relation to the great industrial interests, and in order that those statistics may be obtained in a way that would be entirely reliable. I claim that that is the only argument by which we can support regularly and permanently a Census Bureau. The simple taking of the census once in ten years does not justify the expense to this Government of maintaining a bureau of hundreds of clerks.

In passing I wish to pay a tribute to the present Census Bureau for the efficiency they have displayed in gathering valuable statistics with reference to our industrial interests. It is the first time within my knowledge that it ever has been successfully accomplished. I want to preserve that feature of the Census Bureau. I want to encourage it. I want to amplify it in every possible way by able executive ability. Therefore I claim that that Bureau should be put back into this bill, as the way by which it can best serve and the only way by which it can serve fully and completely the industrial interests of this country.

With reference to the labor feature, as I stated before, Mr. President, I do not hesitate to say that there is no strong opposition among the workingmen to this bill. With all due respect to Mr. Gompers's letter, voicing his own ideas upon this question, if it is understood by organized and unorganized labor that that feature of our industrial interests is to be made prominent in this Department, you will find a hearty cooperation. It matters not to me if the distinguished and able Chief of the Labor Bureau should be placed at the head of this Department. You may call it a Department of Labor, for aught I care, because you can not separate that part of the industrial interest from the other.

Mr. President, all the great commercial bodies and industrial organizations of this country have been demanding, not particularly as a right, but in the interest of the great commercial and industrial interests, that such a bureau should be established. When we come to consider the responsibilities of the Government by comparing the cost of its execution, the forty or fifty thousand dollars a year additional that will give us this Department, whose business it shall be to look in detail to all that will contribute to the development of the great industrial interests of this country, we are accomplishing a purpose the cost of which is a bagatelle.

Now, what else is there in the way of it? Simply an indisposition or a jealousy, perchance, on the part of those who are connected or disconnected with these bureaus opposing the concrete form of these interests under one head. Is there anyone on this floor who can dispute the fact that a close, effective organization, with one able executive head, is always the best way to accomplish a result? Has it not been proven in every department of the Government which has been organized and put into execution that its value toward the great body politic has been enhanced? Has it not been demonstrated that when the Navy separated from the Army the Navy was better provided for, and when one bureau after the other was separated during the progress and development of this country that each one benefited thereby?

Now, Mr. President, my proposition is that we have grown to such proportions in this country, and it is a demonstrated and established fact that owing to our natural advantages and our great resources we are progressing at such a rate, that we can not measure our necessities until we are face to face with them. We are there now. We are on the eve of a condition in this country where we are forced to expand our trade and commerce. Already our productive capacity is far beyond our capacity for consumption, and either one of two things must result.

We must either find a market for that surplus or we must restrict our production to our own home wants. We are entering a new field of competition with the trade of the world; we are entering upon a new era in our development, and it is the business of the Congress of the United States, in any and every way that it can contribute to it, to grant such conditions as are asked for in this bill. I admit the foundation and purpose of the bill as the Senator from Georgia [Mr. Clay] has stated, but it is not circumscribed merely to the collection of statistics.

Mr. CLAY. The Senator from Ohio misunderstood me. I voted in favor of this bill in the committee and I expect to vote for it here. I said that the prime purpose of the bill in transferring to this new Department the Department of Labor, which is an independent Department, was simply to aid the Secretary of the new Department in carrying out the purposes of the bill.

Mr. HANNA. That is as I understand it.

Mr. CLAY. I said that the relations between labor and capital were important in manufacturing and in establishing new markets, and if we did not transfer certain work to this new Department it would never accomplish its purposes. That was the position I took.

Mr. HANNA. I perfectly agree with the Senator from Georgia.

Mr. HALE. I was rather surprised that the Senator should have fallen into what is rather a commonly accepted fad at the present day, that we shall go into a decline if we do not capture the trade of the world. Does not the Senator realize that in the last four or five years we have captured pretty much all the trade of the world that is worth anything?

Mr. HANNA. No, sir; I do not.

Mr. HALE. Then the Senator and I disagree.

Mr. HANNA. We do.

Mr. HALE. The record of what has been done under the Dingley tariff act is the most amazing record of the progress and absorption of foreign trade ever exhibited to the world. We have absorbed foreign trade in the great countries that are our competitors, and we have a population capable of almost indefinite consumption. We have not wasted our energies in a dream of what is called oriental trade, which never did and never will figure in comparison with the markets of the civilized countries of the world that are our competitors.

We have invaded England and Germany and Austria and Belgium and France and Italy and Russia, and have a record of trade established such as has never been seen. For the Senator, who stands as the representative as much as any man upon this floor of the exploits and achievements of the Dingley tariff act, to join the ranks of the men who declare that we will be ruined if we do not get markets for our goods is to me a surprise.

Some day, Mr. President, I shall take occasion more fully to expose what I call this fallacy, this dream, this assumption, that the oriental trade is the thing for which we have got to live hereafter.

Mr. HANNA. I do not remember having mentioned the Orient, and I should be very sorry to admit that the Senator from Maine is correct in saying that we have already captured the markets of Europe. If we have got those markets, then we have certainly limited ourselves to our present capacity.

Mr. HALE. We are increasing all the time in those markets.

Mr. HANNA. That is what I said.

Mr. HALE. And we do not need further action, nor further departments, nor further legislation.

Mr. HANNA. I understand the Senator from Maine is simply opposed to this bill, and he is very fertile in his arguments. If I had time, I should wait and hear what he has to say when he makes a speech later.

I do not claim to represent singly or particularly any interest on this floor. If my business life has been such as to enable me to speak advisedly upon the necessities and the wants of the great commercial and industrial interests of this country, I feel that I am happy in having such a fad that will enable me occasionally to make my appearance on the floor.

But, Mr. President, what I began to say was, that the commercial and industrial interests of this country, in the same way as the agricultural interests, are demanding something of this kind as an auxiliary to the further development of those great industrial and commercial interests, and I am trying to emphasize the fact that when I speak for the industrial interests I include labor, organized or unorganized, and I include any other business or feature which in any way can be connected with that development. I say as an argument in favor of this bill that I believe all those interests can be better served by it. I do not believe there is a member of this body who does not wish that to be so. The question of detail is insignificant, in my judgment, compared with the benefits to be derived from such a measure.

In regard to the Labor Bureau question, I want to repeat and to emphasize that I should have no objection to calling it the department of labor, or the department of labor and industry, or the department of commerce, industry, and labor—by whatever name you please—if all the elements that can contribute to the success of the great commercial and industrial interests of this country can be brought into action and complete administration.

I say in reference to the organization of the Census Bureau that it is a great mistake to leave that feature out of this bill, because that great organization can be employed, and usefully employed, every year—yes, every month and day of the year—in promoting those interests which we advocate, in furnishing statistics which are absolutely important, aye, which are absolutely a necessity for the country to have, because there are no other channels provided for their collection and assemblage.

It would be a misfortune at this time in our history, in our condition, to divide this industrial question by raising the issue that one part of it is labor and the other part capital. Those interests are identical and mutual. What is good for one is equally good for the other, and it is a mistake that either the representatives of labor or of capital should attempt to use the argument that there is any difference in interest other than sentimental.

It is a good thing for us to do to unite our efforts to bring those elements of society upon the same plane, upon an equal footing, in considering all their interests in this country for which we have the right to legislate. I will concede to them, or to the bureaus proposed to be included in this new Department, the name by which it shall be called and a member of the Cabinet, who shall be the executive head of that Department. I care nothing for that. I am pleading for the results, which I believe and know will be beneficial to the development of this country, to its future growth and prosperity, and not for any sentiment as to the name or as to the men.

I take it, whoever is the President of the United States, if this bill should become a law, would exercise his judgment and discretion in placing at the head of this new Department a man in every way qualified to represent its interests, who would honestly and disinterestedly do all in his power to serve the interests over which he is placed by a concert of action with all the other departments and machinery of the Government, and would lend his aid in every way possible for the further development of our great interests at home and abroad. It needs no argument, Mr. President, to inspire that feeling of Americanism in the hearts of the American people.

MR. HALE. I offer an amendment to the pending bill, which I send to the desk, and ask that it may be printed, so that it may come up hereafter. The bill evidently will not pass to-day. Let the Secretary read the amendment, and then let it be printed.

THE PRESIDENT pro tempore. The amendment proposed by the Senator from Maine will be stated.

THE SECRETARY. On page 3, section 4, line 22, after the word "commerce," it is proposed to insert:

And the Interstate Commerce Commission and all that pertains to the same be, and the same are hereby, placed under the jurisdiction and made part of the Department of Commerce.

THE PRESIDENT pro tempore. The proposed amendment will be printed and lie upon the table.

MR. ELKINS. So far as I am concerned, I think that is a very good amendment, without being printed.

MR. HALE. It does not hurt it to be printed.

MR. ELKINS. Of course it does not hurt it to be printed, but it does not help it.

MR. HALE. I ask that it be printed.

MR. ELKINS. The amendment is easily understood.

MR. HALE. I ask that it be printed, because the bill evidently will not pass to-night, and therefore I am entirely willing that Senators shall have the opportunity to consider the amendment.

MR. NELSON. Has the Senator any objection to taking the vote on the amendment now? We can consider the amendment without its being printed.

MR. ELKINS. Mr. President—

MR. HALE. Does the Senator wish to discuss the matter further now? The bill can not be passed to-night.

MR. ELKINS. I should like to say a few words on the pending bill.

THE PRESIDENT pro tempore. The Senator from West Virginia is recognized.

MR. ELKINS. Mr. President, I am heartily in favor of creating or establishing another department of the Government, to be called the Department of Commerce, if you please, or the Department of Commerce and Labor, or the Department of Commerce and Industry. This question has been thought about, mooted, and dis-

cussed for more than twenty-five years, and during that time I have never found anybody substantially opposed to it. Now that everything is expanding in our Government, that our business is enlarging on sea and land in agriculture, manufacturing, mining, banking, railroading, it does seem to me that the interests of the country can be better safeguarded by dividing the work of the departments.

The best reason for the passage of this bill is the congested condition of business in the Treasury and Interior departments and in some other departments. While I think we have had able men at the head of the Treasury Department and that they have done all that could be done, and without disparagement of any of our very able Secretaries, it may be said that it is impossible for one man to control and manage the large interests which center in the Treasury Department. It is impossible for one man to give that attention to the business which naturally comes to the Treasury Department which will enable him to administer it as wisely and as well as it should be administered.

It was for a long time thought that there ought to be two Secretaries of the Treasury—one to take charge of the disbursements and the other the receipts—in order to divide the business and the responsibility of administration; but it seems to me that this bill meets the difficulty of congestion in both the Treasury and Interior Departments by giving something from each of them to the Department of Commerce provided by this bill. It takes several important bureaus from the Treasury Department and transfers them to the new Department, thereby relieving the Treasury Department. The same thing occurs in the Interior Department, which is also congested.

I believe, in addition to these reasons, that our rapidly increasing business on land and on sea will be better subserved by creating this new Department. Vast responsibilities, new duties, increased business will come to the Executive Departments of the Government by reason of our expansion—the acquisition of the Philippines, Porto Rico, Hawaii, and the rapid growth of our Alaskan possessions. We must provide for these new duties and this increased business by relieving the Treasury and other departments of the heavy burdens now resting upon them. Business is multiplying so rapidly in the United States and in our new possessions that the public service must suffer and the interests of the Government and people be neglected unless there is some relief.

Our Cabinet is not large as compared with European cabinets. The President, in my opinion, would be aided by having another Cabinet adviser. It will be helpful to the President, it seems to me, and, as so well said by the Senator from Ohio [Mr. Hanna], the interests of labor and capital, of so delicate and peculiar character, will both have better attention and will be better subserved by this new Department. The labor interests of the country will receive better attention, and perhaps the difficulties between labor and capital can be better solved by having the care and attention of a Cabinet officer. The safety of society and even the Government depend upon keeping labor and capital reconciled and in harmony, as they should be.

I do not care what name shall be given to this new Department. The committee thought one name was best for the reason that all the departments have but one name. We have the Treasury Department, the War Department, the State Department, and so on, and the committee agreed it would be well to keep a single name, but if it will help the bill in any way to call the proposed Department the Department of Commerce and Labor, or the Department of Commerce and Industry, or all three, I have no objection.

But the great reason for this bill and the creation of a new Department is that it is impossible now, I believe, for the Secretary of the Treasury and the Secretary of the Interior to control and manage their departments as well and efficiently as if they were divided and relieved of some of the burdens and work. We ought to relieve the congested condition of the public business in the various departments, so that it can have better and more thorough attention. This is in the interest of the people. The Government was made for the people, and not the people for the Government.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Alabama [Mr. Pettus].

Mr. COCKRELL. Mr. President, I do not think that the argument that the business in the Executive Departments is now congested and therefore they are not capable of transacting it will hold good. The question is whether any of the bureaus which are proposed to be transferred by this bill to the Department of Commerce are in arrears in the transaction of their business, and that it is in such a condition that the head of the department to which the bureau belongs could not bring up the current work. I have heard of no such instance in regard to any one of these departments. Then how do you benefit such departments by taking from them bureaus in which there is no congestion of business, and taking at the same time all the clerks in those bureaus, and leaving the other bureaus where it is alleged there is a congestion of business? I do not think that gives any relief to the other departments. So I can

not see any force in that proposition as a matter of argumentation in behalf of this bill.

The Senator from Ohio [Mr. Hanna] announces a very important point, I think, and that is, that it is important to have one head. That is the very reason I shall vote to strike the Department of Labor from this bill and leave it with one head, instead of putting it under and subordinate to another head, thus dividing the responsibility.

If the Senator from Ohio wants efficiency, let the Department of Labor, which has been administered with efficiency, with success, and with acceptability, remain as it is, an independent department, with a head responsible to Congress. Now, we propose to take such a Department of Labor and make it subordinate; to destroy it as a Department of Labor and make it simply a Bureau, with a master—the head of that Department—who must be consulted in the transaction of its business, and whose policy must be followed, and not the policy of the present head of the Department of Labor, who becomes merely the chief of a bureau. You destroy his efficiency; you destroy the very thing for which the Department of Labor was organized and constituted.

Why is this? Why do you want to subordinate the Department of Labor to the head of the Department of Commerce? What is the policy of it? What is to be gained by it? Everybody admits that that Department has been efficiently and acceptably administered. Why not let well enough alone? Why take this Department, which has been so successfully, so acceptably, and so efficiently administered, and subordinate it to the will and guidance and direction of we know not whom? Is that good policy? Is that practical legislation? Can that lead to good and beneficial results?

We have a department of Public Printing, employing a large force. Must every department and bureau that Congress may deem important to be established be taken and put under the head of some other department? Why shift the responsibility for the administration of the Department of Labor from Congress to the head of an executive department? We have had it under our control ever since its organization. What objection has ever been made to it?

We have had the department of Printing under Congressional control. What objection has been made to that? We created a Department of Labor; we gave it the next highest position to an executive department with a secretary, and the head of it has the same authority in his Department that a secretary has in his department. He has control of his Department; he is responsible for it when there is one head and one management. But this bill proposes to subordinate that head and that one management to the head of another, to the control of another. I can not see any reason why that should be done. If this Department of Labor has been inefficient, if it has proved wanting in any respect, if we saw that it needed a guidance and control which Congress is not capable of exercising over it, then there would be policy in putting it under somebody else.

I think the amendment of the distinguished Senator from Alabama [Mr. Pettus] ought to be adopted. I think it ought to be adopted in the interest of the public service. I think it ought to be adopted in deference to the wishes of those at whose instance the Department of Labor was organized, and whose views have been so strongly expressed in the language of the president of the American Federation of Labor, which is printed in the proceedings of yesterday. The point is expressly made in that communication and the reasons set forth why this Department was organized and why it should not be subordinated to any other.

Mr. ELKINS. May I interrupt the Senator?

Mr. COCKRELL. Certainly.

Mr. ELKINS. Suppose we call the new Department the Department of Labor; would that help the situation, in the Senator's mind?

Mr. COCKRELL. I think not, because you take it away from where it has been efficient. If you put the Commissioner of Labor at the head of it—

Mr. ELKINS. We do not know who may be put at the head of it.

Mr. COCKRELL. We have now the Department of Labor, which has been practically under the same management ever since it was organized. It has been in the hands of an efficient officer, who has administered it successfully and acceptably; of whose administration there has been no criticism, and there has been no scandal connected with it in any way. He has met the expectations of the people; he has met the expectations of Congress, under whom he has been acting, and now it is proposed to make him subordinate to somebody else.

Mr. ELKINS. If I do not interrupt the Senator—

Mr. COCKRELL. It is no interruption.

Mr. ELKINS. If the change be made, it would not impair the efficiency of that Department; it would be just as efficient as it is now?

Mr. COCKRELL. But you can not serve a master and be independent.

Mr. ELKINS. Yes; but he must serve somebody; now who is his master?

Mr. COCKRELL. He serves Congress now.

Mr. ELKINS. Oh, you want a parliamentary government.

Mr. COCKRELL. That officer is independent now. I want the Department of Labor to remain just as it is; just as it has proved a success, and has been beneficial and acceptable to the country.

Mr. ELKINS. I think Congress has a good deal to do without managing executive bureaus.

Mr. COCKRELL. We have proved so eminently successful in that matter that I think we ought to be allowed to go on and have credit for it.

Mr. HALE. Let me ask the Senator, is it not true that the Department of Labor, doing this work in reference to the great interests of labor, has remained unmolested since it was organized? It has never been considered a political department, and no Administration has interfered with it or removed the head of it. Under Republican and Democratic administrations it has gone on as a separate, a distinct, and independent Department. Will those conditions be observed, and will they apply when you put it into one of the political departments?

Mr. COCKRELL. Necessarily they can not be, for you then make the head of that department subordinate to another. The Secretary of Commerce is not going to let that Department remain as it is to-day, to go on and transact its business as it does to-day; but he will supervise its reports in every way, and will direct and control them. He will direct what appropriations shall be made; he will pass upon everything; everything will have to be done in subordination to his will, and so, necessarily, the Department will become political. Everything that you can bring up as to the efficiency of this Bureau must emanate from its remaining as it is. You can not better it. It would be an untried experiment to have this Bureau made subordinate to some one else. As Mr. Gompers says, in his letter of January 20, 1902:

The creation of a Department of Commerce with the provision for the subordination of the Department of Labor will minimize the importance of labor's interests and minimize the present Department of Labor. Against such a procedure, in the name of American labor, I enter my most solemn protest

Necessarily you subordinate it. Take the Census Office, for example—an independent Department. It is now controlled by the Director of the Census. Put it under the Secretary of Commerce and it becomes a mere bureau. The Director of the Census will do nothing without the approval and sanction of the Secretary, and it is idle for Senators to say that when you place these departments under a Secretary you will have them administered just as they are administered now. It can not be. No Secretary will take the responsibility for the administration of these offices and yet have no control or influence over them. He would be an incompetent Secretary if he did. He would admit his incompetency to control and direct them. You want them placed there, and the object in placing them there is that they may be under the control and direction of the Secretary of Commerce.

Mr. GALLINGER. Will the Senator from Missouri permit me?

Mr. COCKRELL. Certainly.

Mr. GALLINGER. Will the Senator assert that the Secretary of the Treasury interferes with the administration of the Marine-Hospital Service or the Coast and Geodetic Survey?

Mr. COCKRELL. Most unquestionably. I am delighted that the distinguished Senator from New Hampshire has mentioned that, for I did not want to refer to the United States Coast and Geodetic Survey, because it occurred under a Democratic Administration.

Mr. GALLINGER. What I mean is in the administration of the duties of the office.

Mr. COCKRELL. In the administration of the office of United States Coast and Geodetic Survey one of the most efficient and able men who ever occupied that office was removed by the Secretary of the Treasury, and it was deteriorated in every way, as the distinguished Senator from Iowa and others who know of that circumstance can testify. It was greatly lowered. Its usefulness was impaired, and it was with some difficulty that it was maintained without being wiped out.

Mr. GALLINGER. Well, but still it has remained under the Treasury Department.

Mr. COCKRELL. Certainly, it has still remained under the Treasury Department, but the Secretary of the Treasury interfered. He controlled. He directed. The Secretaries always have done it, and you can not get a strong man, who feels the weight of his responsibility as Secretary of Commerce, to take under his wing and be responsible to the public and to the world for the administration of a bureau under him and yet expect that bureau to act independently. The propositions are incongruous and incompatible. When the Department of Labor comes under the

Secretary of Commerce it will become subordinate to him and must bow to his will, and the Department will be controlled to a greater or less extent.

Now, what is the reason for the transfer? Why shall we take a Department of Labor, which has proved so eminently successful and is so satisfactory and against which no complaint is made, and transfer it to this new Department? Why shall we make an experiment and place it in a subordinate position, in defiance of the protests of those at whose instance it was organized, when no one can show that any benefit will be derived by anyone from the change? It is an experiment, a trial, and one that will prove unprofitable and unbeneficial to the interests of labor.

Mr. MONEY. Mr. President, I do not know that I shall vote for the pending bill, however much it may be amended. It may be made much better than it is, I know. I think the title should be changed, for one thing, and that the new Department should be called the Department of Commerce and Industries, to anticipate a number of other departments, the creation of which will probably be urged in a very short time.

I rise to say a few words because of the speech just made by the distinguished Senator from Missouri [Mr. Cockrell]. I believe the Department of Labor, now an independent Department or Bureau, should be maintained in its independence. It was instituted, in the first place, because of the demands of the laboring elements of this country for a representative in the capital to give statistics that would be for the enlightenment of this country upon their relations with the capital of the country. That it has been administered, through changing Administrations, without a change in its head is an evidence of satisfactory work. The public has received with grateful acknowledgment the achievements of that Department. They have been satisfactory to the Congress, and, as far as we know, to the Executive. To maintain the absolute independence of this Bureau from any political influence is the first question.

Now, it is a patent fact, and nobody knows it any better than the gentlemen who press this bill, that the change from an independent to a subordinate place changes it from an impartial, nonpartisan bureau for the purpose of gathering statistics and information into a political bureau of a political department; and, as the Senator from Missouri says, no Secretary will be responsible for any bureau or department under him, or any officer who is subject to his direction (and he should not be so held accountable), unless it or he is directly responsible to him.

Everybody knows that this Department chief, the Secretary of Commerce, like the Secretary of the Treasury and the other Secretaries, will be a political appointment. Such officers are the political advisers of the President on all questions of public policy. They are his advisers as to appointments to be made to carry out and execute the laws of Congress. In the Department of Labor, as it now exists to-day, no sort of political influence is exercised as far as I know. I know nothing about the political views of the chief or of the subordinates under him. I know that their work has been approved. It has been of the very highest order of merit. It has been accepted, not only in the United States but abroad, as presenting the most authentic statistics and information ever compiled for the use of the public anywhere.

And now we have here the great laboring organizations of the country and the unorganized labor of the country, for whom the distinguished Senator from Ohio [Mr. Hanna] has said he has the warmest interest and feeling, with a demand for a nonpartisan, impartial, independent department that can look after their affairs, so far as concerns statistics and information. They will not be satisfied if the Department is transferred to a department which of necessity will make it a political bureau, as the other bureaus are to a greater or less extent.

Mr. President, what advantage is it to the labor of the country, organized or unorganized, that this independent, impartial, nonpartisan Bureau shall be made a political one? Its very merit and usefulness will have been destroyed when that is done. We all know that there will not be a single report made from that Department, when it becomes a bureau of another and a political department, which has not been revised and lead penciled and corrected and sent back for revision over and over again until the views of the party in power are carried out and expressed. Everybody knows that the bureau officer who in his report declined to lend himself to campaign exigencies would speedily be invited to tender his resignation, and if he did not do it, he would find himself superseded by a new appointee.

Mr. ELKINS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from West Virginia?

Mr. MONEY. Certainly.

Mr. ELKINS. Speaking of the political feature of the case, is not the Commissioner of Labor now appointed by the President, and is it not a political appointment? Does it not change with changing administrations?

Mr. HALE. No; it does not.

Mr. MONEY. It has not changed.

Mr. ELKINS. The office is not held for life.

Mr. MONEY. It does not change with the change of administration.

Mr. ELKINS. Why not? It may.

Mr. MONEY. It continues during Democratic and Republican administrations. The work has been thoroughly nonpartisan, and it was made an independent Department in order that it should be so.

Mr. ELKINS. Yes; but the head of it—

Mr. MONEY. And if it had not been so the demand of labor interests would not have been met.

Mr. ELKINS. The head of the Department changes.

Mr. MONEY. It has not changed.

Mr. ELKINS. It can be.

Mr. MONEY. Oh, it can be, but it has not been; and it has not been changed because it was not intended to be a political office. Every single other officer in this Government who could be made political has been made political. We know that political influences have dominated the Navy and the Army, which should not have any political influence at all. Some of us believe that political influences have dominated more than once a great coordinate branch of this Government in rendering decisions upon the most important matters that ever came before the American public. Wherever politics can intrude itself it has done so.

Here are the laboring people of the country, who have an independent department to meet their wishes, to give out impartial statistics and information to guide and regulate them as well as the capital with which they come in conflict. A conflict must forever and ever go on between capital and organized labor. I say necessarily, not that there need be any injury done by one to the other, but the interests naturally conflict. One wants what he can get and the other wants to keep what he has, and consequently the two will always be in natural conflict. The part of this Congress is to try, if possible, to be a buffer between these two hostile elements, and to enact such legislation as will prevent any outbreak or such a divergence of interests as will lead to conflict of the most serious character between capital and labor.

One of the things proposed was an independent and nonpartisan bureau of labor, and it has acted, so far as I know, and I have examined its reports with great interest, in that nonpartisan capacity. Its function has been performed impartially. It has met the demand of the laboring people of this country; it has been satisfactory to all concerned, and I see no necessity for, but on the contrary I see a great evil in, putting that independent department in another department, to be subjected to the will of a political chief appointed on account of his politics and as a political adviser.

We all know that the mere department work of a Secretary is as purely perfunctory as anything can be. He can not read the papers he signs, and he can not sign half of those which bear his name. A boy with a rubber stamp imprints the Secretary's name upon papers he never saw and never will see. It is the necessity of the service. It is due to the multiplication of business that comes from the enormous aggregation of population and an enormous increase of wealth, and which comes with such leaps and bounds that it can not be estimated for in the annual estimates for appropriations submitted by the several heads of departments.

Now, Senators, you who vote to put this Department under a political chief (and you will know you are doing it when you vote that way) will not have put under obligations any single one of the labor organizations or the independent working people of this country. You know very well that they do not want a political chief to handle their statistics. Gentlemen may say figures will not lie, but it depends entirely upon the men who handle the figures whether or not they will lie. They can lie well enough if they are in the hands of a liar, and they can pervert the truth when they are in the hands of a partisan.

I do not claim that I am the champion of the laboring people of this country. I am not here with a commission from the laboring people, but I am here sympathetic with all the working people of this country and other countries, the people who create the wealth and pay the taxes and fight the battles. While I am without any commission from them or anyone else or any expectation with respect to the matter, I am here to say that when this clause is voted into the pending bill you will have destroyed the interest which the laboring people have in this Department; you will have nullified its usefulness, and you will have made it a part of the machinery of the political conduct of this Government which they believe is inimical in its influence to their interests.

Now, Mr. President, here is the Coast and Geodetic Survey, mentioned by the distinguished Senator from Missouri. That Bureau, he says, under political influence has deteriorated. I have known a good many heads of that Bureau. I once had the pleasure of examining one of them, a distinguished scientist, since transferred to

a better and higher field of usefulness; and I wish to say that I do not know a more accomplished gentleman than the one who now presides over the Coast and Geodetic Survey. I believe it will be to the interest of the country, if this bill is to become a law, that that Bureau should be transferred to the Department of Commerce.

The whole motive, the whole reason, for establishing a coast and geodetic survey at all was to assist commerce. Its business is to survey, plat, chart, and mark the coasts of rivers and harbors in this country and all other countries touched by our commerce; and in that instance—

Mr. ELKINS. I should like to ask the Senator from Mississippi a question.

Mr. MONEY. Certainly.

Mr. ELKINS. If your argument is good with respect to a nonpolitical, nonpartisan, independent Bureau of Labor, let us get a more efficient, nonpartisan, nonpolitical service in all directions than we have at present. If that argument is good with respect to the Commissioner of Labor, it is good for every other bureau. We might better and purify and hold the Administration aloof from politics if we would put every other bureau of this Government upon the same footing that the Labor Bureau is. If your argument is good as to the Commissioner of Labor, and it is an able argument, I admit, why not treat all the rest in the same way?

Mr. MONEY. I take pleasure in answering the very pertinent inquiry of my friend the Senator from West Virginia. He is one of those gentlemen who will take a whole loaf or no bread. I am satisfied with a crumb. You know it is impossible to take the departments out of politics. It was never intended that they should be out of politics. It belongs to the system of this country. It is institutional. The President must have political advisers, and he must call those to the head of the great departments who are in sympathy with him, and who approve his policy and will advise him, because the great party which elects him to his place expects him to appoint people who are in accord with his views and the views of the party which elected him. And, as suggested to me by the Senator from Georgia [Mr. Bacon], he always does it.

But here is a bureau which in spite of that just and necessary rule has been created and maintained in the fashion in which we now find it, because of the demand of the plain people, who care nothing about politics and who are more interested in winning bread for their families than they are in the success of any party whatever, and therefore, I am sorry to say, show a readiness to shift en masse from one side to another as they may think their bread and meat depend. In recent campaigns thousands of ballots have gone into Republican ballot boxes cast by workmen who did not believe in the principles enunciated by that party, but who thought that bread and meat for their wives and children depended upon the votes they cast. The capitalists who threatened them did not intend to perform. They were a lot of cowards. They raised their hands to strike, but did not have the courage to give the blow, even if those men had gone on and voted independently, every one of them, for Mr. Bryan. But the capitalists knew the threat was sufficient. They had their hooks in the gills of these people, and the latter could not help themselves.

In spite of the fact that the departments must generally be political, that their heads must obey the President of the United States, that they must be in accord with him or leave (and they should be asked to leave if they show an unwillingness to do so), here we have a department which if it can not be made nonpartisan and nonpolitical should be abolished and should not be provided for in any bill or transferred to any other department. When it can no longer be independent and nonpartisan and impartial, then it should at once be extinguished, and not coddled and made the subject of transfer and of debate in this Chamber.

Now, Mr. President, I desire to repeat what I said a while ago, that I do not represent any labor organization whatever. They have never asked me to be their champion, but I can see what the effect of this is and I believe I know the influence and motive that prompt it. They are to destroy the last impartial source of statistics and information which the Government has to-day upon matters of most vital importance as relating to capital and labor, and I tell you that the people, after a while, will tire of this sort of business, this interference in the only affair in which they have sought to be directly represented.

The laboring people of this country, whether organized or not, whether the individual follows the plow or sails a ship, or forges at the anvil, or works at the loom, or whatever he may be doing, ask that they be allowed at least one independent officer who will not have to bow to the dictation of any political officer and can render to the people of this country just, impartial, fair, and nonpartisan statistics and information for their guidance and their information.

Mr. GALLINGER. Before my friend, the Senator from Mississippi, takes his seat I should like to say a word. I always respect his opinions, and I always listen to his eloquence with great pleasure. I wish, as a member of the Committee on Com-

merce, to give the Senator an opportunity to disclaim—which I am sure he will gladly do—any imputation upon the committee that their purpose in reporting this bill was to destroy this last nonpartisan bureau or department of Government. The Senator says he thinks he understands the influences that are back of it and that led somebody to propose this wicked thing. I am sure the Senator did not mean to suggest that the committee had that end in view when they reported the bill including the Department of Labor.

Mr. MONEY. I am very much obliged to my distinguished friend, the Senator from New Hampshire, for bringing this matter to my attention. I perhaps went too far in saying that, for I can not believe that the Democrats on the committee could have had any such motive. But I do believe that the Republican party are animated by that motive. They have the controlling vote here, and I have seen nowhere along the whole line of progress anything that tended to make for the good of the masses of this country.

Mr. GALLINGER. My only answer to that is that it must interest the country to have the championship of the labor of this country placed in the hands of the Senator from Mississippi.

Mr. MONEY. Whether the country is interested or not is a matter so immaterial to me that it is hardly worth mentioning. At any rate, I have risen in my place without any sort of thought upon this bill at all, not expecting to say a single word upon it, but I accidentally came in and heard the remarks delivered by my distinguished friend, the Senator from Missouri, which called to my mind at once the remarks I have indulged in here; and if I have reflected upon anybody in any way I am perfectly willing to withdraw it. But what I make is a charge against the Republican party. It may be I am quite mistaken about this thing; I consider that I am as fallible as anybody else; but when I take this in connection with all the other movements of this sort I am compelled to believe that the intention is that it shall all be under political control.

Now, the very situation as it stands, the way in which the Bureau was organized, the purpose for which it was organized, the demand that was made for its organization, the character of its appointment, its standing through successive and changing administrations of different politics, all show to me that the intention was, as I said, to have a nonpartisan bureau of statistics and information for the benefit of the wage-earners and the laboring people of this country, as well as the capitalists and manufacturers of this country. It was made an independent department under a Democratic Administration, and the head of it, so far as I know, is a Republican, appointed by a Democratic President. Everything connected with it tends to show that it was to act independently of any political influence or motive, and so far it has been properly administered.

Mr. President, we are not accustomed here to say anything that will purposely wound anyone, and I hope the Senator from New Hampshire will not think that there is any personal reflection upon him or any member of the committee on either side. I have too much regard for all of the Senators to be at all discourteous or impolite to any one of them.

Mr. GALLINGER. Knowing the kind heart of the Senator, and claiming for myself equal kindness of heart, I gladly withdraw any suggestion I made that may have been offensive to the Senator.

Mr. MONEY. It was not at all offensive to me.

Mr. GALLINGER. I thought this matter ought to be discussed absolutely without reference to political views or partisan politics, and I am sure the committee had that in view. They may have made mistakes, but they certainly had no purpose of harming the Department of Labor or doing anything that would harm the laboring people of this country. I think the Senator will agree that that is so.

Mr. MONEY. I stated at the time that I was obliged to the Senator for bringing me to that point, and I did not intend to be sarcastic when I said it. I was honest about it. I really was obliged to him; and I am obliged to him for his further remark. I will say now that I accept entirely his disclaimer on the part of the committee of any intention to impair the efficiency of this particular Bureau which affects the labor of the country, either organized or unorganized; but I have attempted to point out, irrespective of the politics of the committee or of the majority, the effect of the measure. *Ex necessitate rei*. It can not be helped. The probabilities are all on my side of the argument. You can not put a bureau under a political department and make it independent and nonpartisan, unless it is strictly a scientific one. In that case it might be possible. But when it comes to the Supreme Court of the United States, when it comes to the Army and Navy, when it comes to any of the Executive Departments of this Government, we all know and feel that political influence ramifies every single branch of the service, military and civil. It has shown

itself so repeatedly and so persistently that it is impossible for anyone, however dull, to ignore the fact.

I am not here to arraign anybody. It might have been just so if Democrats were in the ascendancy. It is the fate of this country to be tossed between two political parties and to take the color of each in every branch of the service, and it is perhaps important that it should be so in part, but not altogether. I wish we were more perfect, Mr. President; but I think we are about to demonstrate to the world that we are incapable of self-government in the high sense of the word as it was conceived by the people who established this Republic. I know that in the convention which organized this great Government the highest and brightest minds did not believe the people capable of governing themselves.

I know that Alexander Hamilton, whose principles are espoused by the other side of the Chamber, said the nearer we could come to the monarchy of Great Britain the better for us; that it was impossible for the plain people to govern themselves; that it must be a government of the better class, the "better class" always meaning the people having money. I know that such a good man as Roger Sherman subscribed to that doctrine, and I am sorry to say that one James Madison, who has been called the champion of States rights, went very far in the same direction. And so to-day it is becoming more and more obvious that the people are not to speak for themselves. We need at least one grand, impartial, nonpartisan bureau or department that will give the facts in which they are concerned without any coloring or any direction from any political chief whatever.

Mr. QUARLES. Mr. President, it seems to me unfortunate that any political complexion should be given to this debate. The subject under consideration seems to me of such dignity and importance that it ought to be considered entirely apart from any mere party or partisan consideration. But if I were here as the champion of labor, I would feel constrained to suggest, sir, that labor has some very injudicious friends on this floor.

What is it proposed to do by this bill? It seems to be the fundamental principle in the thought of the promoters of this measure that there is a decided advantage in having a direct representation in the executive branch of this Government through a Secretary who is there affiliated with and attached to the very central head of the Government. Now, are the promoters of this bill mistaken in that regard? If not, what does it mean when gentlemen suggest that here shall be a great Department organized to take jurisdiction of the industrial and manufacturing and commercial interests and leave labor out? How is it possible, Mr. President, that there can be any comprehensive or systematic organization of those great industrial interests and leave labor out?

When my friends on the other side of the Chamber propose to leave this Bureau out it seems to me they are doing a doubtful service to the laboring man and the laboring interests of this country. They propose that labor should dwell in a tent on the outside. We propose to bring the labor interests right into the mansion alongside of commerce, alongside of capital, where they belong, that they may dwell there harmoniously together; that the Labor Bureau shall not be an orphan, entirely discredited and unaffiliated. It appears to me that no scheme of this kind can be complete unless we include both and treat them alike and bring them under the same department, where they may have equal representation in the great central executive department of the Government.

Now, it is true that in the army there is a certain advantage that an independent commander has. A guerrilla has an advantage in the same way. His force is mobile; he can move about without consulting superior officers. But, Mr. President, that advantage fades away when we come to consider the great military desirability of organization. The same thing applies here.

It seems to me, Mr. President, that if we should leave labor out of this bill it would be an invidious discrimination against labor. Therefore it appears to me to be very desirable that the amendment shall not prevail and that the bill shall be considered on broad grounds, not on narrow partisan lines, but with a view of organizing a great systematic department, including all the interests which combine to make our great industrial development.

Mr. ELKINS. Mr. President, I agree fully with the remarks of the Senator from Wisconsin [Mr. Quarles]. It does seem to me that this bill lifts up labor and dignifies it. It puts its interests into better hands and safeguards them better than can be done by having an independent bureau—a mere bureau. I do not understand the argument of the Senators who are opposed to merging this Bureau into the Department of Commerce when we are willing to call it the Department of Labor, if you please, thereby giving it more importance. The fact is that it was in the minds of the promoters of this bill, those who considered it, that the great labor question and the interests of

labor would be better cared for, better safeguarded, than at present, and we are not willing to permit the other side to have or pretend to have more interest in the question of labor than this side of the Chamber. We think labor is important enough to have something more than a mere bureau. It is large enough to be in the hands of a Cabinet officer and receive the best attention that a Cabinet officer can give it.

I am glad that the Senator from Mississippi [Mr. Money] has taken into his particular charge the labor of the South. This is a new departure. It is gratifying that we find that Southern statesmen are beginning to love and care for labor in the South as well as in the North and all over the country. If I thought that the labor of the South would be better promoted by this independent Bureau that some Senators are so infatuated with, I would vote against putting it in the Department of Commerce. There is no disposition to strike down the Labor Bureau, no disposition to impair it, but every disposition to promote the interests of labor by putting the Labor Bureau in the Department of Commerce.

There is no way to get around responsible government. All the public business ought to belong to some department, ought to be taken care of in some department, responsible to some head. There should be no independent bureaus under the Government.

I dislike very much to see the Fish Commission merged into the Department of Commerce. The head of that Bureau—a personal friend—wants in every way to keep it out of the Department of Commerce, and I can understand the reason. It is better to be in a camp by yourself, in a command controlled by one's self, responsible to nobody, as the Fish Commission is, but to the President; and, I understand, the Commissioner of Labor is responsible to nobody but the President. In the multifarious duties that rest upon the shoulders of the President he can not give these bureaus any attention whatever, and for this reason we believe that it is better to put them in the hands of a responsible Cabinet officer, notwithstanding the claim of the political complexion that might attach to the administration of the Labor Bureau.

There should be no difference between the great political parties of this country and between Senators here about the interests of labor. Everybody in the country—every Senator here—wants to promote its interests. This bill has the unanimous vote, I believe, of the Committee on Commerce. I believe one of the controlling reasons was that it would help labor; that it would help the great labor interests of the country; that labor interests would have more and better attention. Labor and the interests of labor would be lifted up and dignified more by belonging to a great department of the Government than to a bureau, as now.

Mr. MARTIN. Mr. President, I desire to say a few words about the proposition that is pending. As I understand it, the question is on the amendment of the Senator from Alabama [Mr. Pettus] to strike out so much of the bill as puts in this new Department of Commerce the Labor Bureau as now organized.

I regret very much to have heard political considerations mentioned in this connection. As a member of the committee that reported this bill I feel that I can, with perfect safety, say not a member of that committee, Democratic member or Republican member, thought of politics once from the beginning to the end of the consideration given the matter in the committee.

I will say further that I regret an important business measure like this is can not be considered in the Senate without having the suspicion of political motive brought in. I feel so absolutely free of being actuated by that motive myself, and I have seen so little to justify the suspicion as against any other person in the committee or outside of the committee, that I feel constrained to say that I believe the suggestions made by the Senator from Mississippi [Mr. Money] can not find a place in the facts surrounding this matter.

Mr. MONEY. Mr. President, if the Senator from Virginia will permit me, I do not know whether he was in the Hall during the whole of my speech or not, but when my attention was brought to this matter by the Senator from New Hampshire [Mr. Gallinger], I promptly acquitted the Democratic side; and when he went a little further and I was pressed a little by him in a good-natured way, I said I would acquit the committee; and then, dropping all motives, I discussed the subject purely upon what I consider the necessary consequence of placing a nonpartisan bureau under a political department. I am sure the Senator need not feel at all aggrieved at anything I said. Of course I disclaim any intention of offending anybody or doing a discourtesy to anybody.

Mr. MARTIN. I can assure the Senator from Mississippi that I did not feel aggrieved at all. I heard all he said, and I wish simply to confirm the conclusion of the views that he last expressed when he exonerated, as I wish to exonerate, the committee and every Senator, so far as I know, on the floor of the Senate from any consideration of a political nature in connection with this matter.

I will say further that I have been unable to see the force of the argument made by the Senator from Mississippi in respect to the present nonpartisan organization and his fears that the new organization would be partisan. If the present organization of the Labor Bureau is nonpartisan, if its work has been done fairly and justly without any partisan bias, a fortiori, it will be without partisan bias when put under this greater command, this more important officer, both that important officer and the present officer in charge of the Bureau holding commissions from the same head, the President of the United States. If it has been nonpartisan in the past, it is due to the Administration now in power.

If that Administration has made it nonpartisan in the past, why may it not make it nonpartisan in the future? It is absolutely under the control of the President of the United States as now constituted. I apprehend it is not any more partisan or any less partisan than other departments of the Government. There is no law to make it less partisan than the other departments of the Government. If it is less partisan than other departments, I say it is the act of the President. He has appointed a good man at the head of that Bureau, and I hope the present President and all future Presidents will continue to appoint a good man to take charge of it when it is a part of the Department of Commerce, as well as when it is an independent Bureau.

As I said, I am unable to see the force of the argument of the Senator from Mississippi to the effect that it is a nonpartisan Bureau now and would be a partisan Bureau when it is made a part of the new Department of Commerce. It is as susceptible of partisan motive in the one instance as in the other. It is as much subject now, I have no doubt, to partisan feeling as any other department of the Government. I have seen no undue partisanship in it, and I hope I may never do so; but I say it is as susceptible to partisan conduct now as it will be when it is made a part of the Bureau of the Department of Commerce.

Now, another argument has been adduced in favor of the motion to strike this Bureau from the new Department of Commerce by the Senator from Georgia [Mr. Bacon], who says: "Let well enough alone." Mr. President, that argument may be used as against every single bureau attempted to be put into this new Department. Are we to make charges against a bureau before it can be fixed in any one department or another of the Government? Are we to charge incompetency of management before we can justify ourselves in putting any independent bureau in this new Department? If it has done well in the past, I say it will do better in the future when it has a Cabinet officer to foster it and to care for it and build it up.

Again, Mr. President, it has been said by the Senator from Georgia that if no other consideration had controlled him he would have been controlled by the letter from Mr. Gompers, the president of the Federation of Labor. Mr. President, I feel that the letter of Mr. Gompers is an argument in favor of the transfer, so far as it contains any argument. Mr. Gompers objects to having this Bureau put in the Department of Commerce, because he says that there should be a Cabinet officer to have sole and exclusive control of this Labor Bureau. Mr. Gompers wants the Labor Bureau magnified into a Cabinet position single and alone. We must limit the number of Cabinet officers. We can not have a Cabinet officer for the Department of Manufactures; a Cabinet officer for the Department of Labor; a Cabinet officer for the Department of Statistics. We can not multiply Cabinet officers indefinitely. We must classify them, or should, in my humble judgment, classify them so as to include every bureau of the Government under some Cabinet department, except in the case of a few which can not well be brought under Cabinet control.

The Interstate Commerce Commission is a quasi-judicial tribunal in some of its features. It should not be embraced under a Cabinet officer. It should be independent. I feel that that is an exception. I believe that the Civil Service Commission should be independent, because it deals with all departments of the Government service. I can not at the moment think of any others; but there may be some others. However, as a general proposition, for the efficient administration of the business of the Government I believe that every bureau should be classified under some Cabinet officer and should be controlled by a Cabinet officer in direct communication with the President and directly responsible to the President. For that reason I believe that the Labor Bureau should be put under some one of these Cabinet officers, and I know of none to which that Bureau more logically belongs than to the head of the new Department of Commerce.

I have desired, Mr. President, briefly to express these views, because I sincerely believe that the best interests of this Bureau will be promoted by having it made a part of and put under the direction of the Department of Commerce.

Mr. SPOONER. Mr. President, this bill day by day is growing in popularity. I know of no one in the Senate who has not announced himself as in favor of it, but from day to day there is a little change in the *quality* of its popularity. Everyone,

taking the Senate altogether, seems to be in favor of creating this new Department, but opposed to putting anything in it. [Laughter.] One Senator wants the Fish Commission taken out because it is "scientific." Another wants the Geological Survey taken out, partly for the same reason. One wanted the Coast and Geodetic Survey taken out, which is certainly quite scientific in its functions, and out it went.

Mr. MONEY. Will the Senator from Wisconsin permit me?

Mr. SPOONER. Always.

Mr. MONEY. The Senator looked at me as one who wanted the Coast and Geodetic Survey taken out.

Mr. SPOONER. No; I acquit the Senator.

Mr. MONEY. I said I wanted it kept in where it belongs, and it has no business with any other department.

Mr. SPOONER. Another wanted the Census Bureau taken out, and out it went. Now it is proposed to take out the Department of Labor. Two or three friends of mine, who are connected with these Bureaus, have asked me to move to strike those out of the bill, and I suppose, if the motion is made, they will go out. So there will not be much left of this bill by the time we are through with it.

The speech of the Senator from Virginia [Mr. Martin] was an extremely fair one, a broad one, and was calculated, in my judgment, to make for better public service. It was uninfluenced in any wise whatever by any political suspicion or possible political motive.

I assume, Mr. President, if we are to create this Department that we are not creating it for the purpose of adding a Cabinet officer. I suppose that, in transferring bureaus to this Department, we are not to be influenced by the desire of the heads of the bureaus, by their personal pride, or a desire for continued independence. We create the Department, if we create it at all, because the public interest demands it, and in determining the question what bureaus and subdepartments of the Government shall be embraced in this new Department I think we should take no account whatever of the wishes of the gentlemen at the head of them, but study and determine solely the question whether, if transferred to this Department, they will render better service in the public interest.

I think this Department ought to be established. The departments are overloaded. The Interior Department is an empire. The same thing almost is true of the Treasury Department. There are a large number of bureaus in the Treasury Department which, in their nature, have no legitimate connection with that Department, but as we have grown and progressed those bureaus have been added by Congress and, of course, they have been put upon one department or another until now it is too true, as the Senator from Mississippi [Mr. Money] said, that Cabinet officers, several of them at least, are obliged in putting their signatures or their approval upon documents and papers, some of them important, to do it in a somewhat perfunctory manner. It is impossible under the present situation that it should be otherwise; it ought not to be so any more than is necessary.

The Cabinet officer is held responsible for every breach of duty in the various bureaus under him, for every particular piece of rascality, for all loose transactions and wastefulness, and it is not fair to a Cabinet officer, it is not in the public interest, that a department should be so filled with bureaus as to render it impossible for the head of that department to keep a fair degree of supervision over the operations of the bureaus under him and to keep in fair degree in touch with those operations. It is ridiculous to suppose that as we advance and increase in our population, now 80,000,000, as we increase in domestic and foreign commerce, and as we increase in transportation facilities, growing in every conceivable way, the old machine is adequate to the new situation.

So I have felt that there ought to be created this new Department; that the public interest absolutely demands it; and that we ought to transfer from the overloaded departments—all of them are not overloaded—those bureaus and subdepartments, if there are such, which, massed in a Department of Commerce, can discharge just as efficiently the duties imposed upon those bureaus by law when placed under the general supervision and responsibility of a Cabinet officer. That is what this bill was intended to do.

This Department of Labor—I have not cared much about it in this connection, although in establishing a Department of Commerce, dealing with our industries, dealing with our domestic commerce, intended in various ways to promote both, dealing with our foreign commerce, dealing with every subject into which labor enters—naturally was by the committee deemed appropriate to be transferred to the Department of Commerce.

What argument is made against it here? First, it is said that it is an independent department. In a sense, yes. It is not a bureau in any department, nor is it an executive department. Why was it so created? To secure nonpartisanship, and, as

Senators think, therefore, honest administration. I do not undertake to say as to that, but I do know this, that when the Bureau was created and the gentleman who now is at the head of the Department of Labor was first appointed, he was appointed at the head of the Labor Bureau. I ask my friend from Colorado [Mr. Teller] if I am mistaken about that. That was a bureau in the Interior Department, was it not?

Mr. TELLER. The Department of Labor?

Mr. SPOONER. No, I mean the Labor Bureau at first.

Mr. TELLER. I will state that I said whilst I was on the floor it was originally organized as the Bureau of Labor in 1884.

Mr. SPOONER. In what Department?

Mr. BACON. In the Interior Department. In 1888 the act was amended, taking it out from that Department and making it an independent department.

Mr. SPOONER. I thank the Senator for confirming my recollection.

Has it ever been charged, Mr. President, that while the Bureau of Labor was a bureau in the Interior Department it was dishonest for political purposes in the administration of the functions imposed upon it by law? Was the distinguished gentleman, who is now at the head of this anomalous Department, any the less able as a statistician, any the less honest as a statistician, when he was at the head of a bureau in one of the Executive Departments than he has since been?

The Geological Survey is one of the bureaus of a Department. It is in the Department of the Interior. A very able man is at the head of it. It deals with statistical investigations, and of the most important kind, Mr. President, very elaborate and far-reaching. It reports the results of statistical research to the country. Has it been claimed that that Bureau ever has been disabled in the discharge of its duty by the fact that the head of the Department happened to belong to one party or the other? I think not.

The Census Office is a bureau in the Interior Department. I have heard charges made against the Census Bureau in connection with patronage, but I do not remember to have heard an impeachment of the statistical work of the Census Bureau upon the hypothesis that it was influenced by politics.

The gentleman who is now at the head of the Department of Labor has been retained through different Administrations. Why? Because he was independent of the President? Not at all; for the act which created the Department, under which he was appointed, provides that the President may appoint him, by and with the advice and consent of the Senate. There has never been a day since he was first appointed when he was not subject to removal and when the President was not at liberty to substitute for him a man of his own political faith.

It has not been done. President Cleveland did not do it; President Harrison did not do it; President Cleveland, when he came in again, did not do it; President McKinley did not do it. Why? Because every right-thinking citizen of the United States charged with public duties and fit to hold public office, knows that the statistical information that reveals to the people our growth, the condition of our industries—general statistical information—must be honest in order to be of any use or value, and I never expect to see a President elected who will put a tool in such a position or who may be expected to be willing to so prostitute his position as to give political coloring to investigations of this sort and to the collection and compilation and report of statistical information.

If this Bureau is transferred, the gentleman who has held the place by "divine right," in a sense, because of his surpassing excellence as a statistician, for he is wedded to the science and could not give a thought to politics in the administration of that important function—

Mr. TELLER. What is his politics?

Mr. SPOONER. I do not know.

Mr. TELLER. Does anybody else know?

Mr. SPOONER. I do not know nor do I care. He was first appointed, I think, by a Republican President, was he not?

Mr. ALLISON. He was appointed by a Republican President.

Mr. TELLER. When I interrupted the Senator from Wisconsin I did not mean to cast any reflection upon Mr. Wright, the head of the Department of Labor.

Mr. SPOONER. I know you did not.

Mr. TELLER. I do not believe anybody knows what his politics is. He has attended to his business, and let politics alone.

Mr. SPOONER. So with the Geological Survey, and so with others. I doubt not it will be found, no matter what you call them, no matter if the departments or subdepartments, or bureaus are transferred to the new Department of Commerce, the work will go on just as it has gone on.

The present Commissioner of Labor can not expect to live forever. He is to have successors. I hope they may be as able and faithful as he, and I am not willing to believe that a day will come when any President—Democrat or Republican—will choose the head of that Department to conduct that important work with reference to anything but his ability and willingness to get at the truth.

The proposition here is to transfer this Department and other departments with the same officers, with the same rank, at the same salaries, and with the same duties now imposed upon them by law. It is a little odd to have independent and unassimilated bureaus in the Government. *Prima facie* there is propriety in almost every case in having these bureaus, whatever they may be, or these subdepartments, whatever they may deal with, in some executive department, presided over by a Cabinet officer, who twice a week or every day visits the Chief Executive, who is responsible for the general conduct of the Administration.

I agree with the Senator from Virginia [Mr. Martin] in all he said, and especially I agree with him that there are peculiar reasons why the Interstate Commerce Commission should not be transferred to a department. The Interstate Commerce Commissioners are charged with the administration of an act of Congress. It is part of their function to investigate, with a view to enforcing the requirements of the interstate-commerce law, but a part, and an important part, of their functions are *quasi judicial*.

MR. HALE. Is not that true about any bureau of importance in any department of the Government?

MR. SPOONER. I do not think it is true.

MR. HALE. The Indian Bureau in the Interior Department is engaged in administering the law. There is not a day in the great Land Office of the Interior Department when questions of law do not come up which involve hundreds of thousands and millions of dollars. Indeed, I have heard it said that the decisions of the Commissioner of the General Land Office yearly involve more value in property than those of any court which exists in the United States. The Interstate Commerce Commission was authorized to do nothing more than that. It is a projected body onto the administration of the Government.

They have no force so far as promulgating decisions which are recognized as law. Their duties are purely administrative, purely with regard to seeing that the different laws in reference to railway transportation and interstate commerce are carried out. Everything about it could be done by a well-developed and well-conducted bureau in a department as well as it is done now.

MR. SPOONER. I think that if the Senator will read the interstate law——

MR. HALE. I have read it.

MR. SPOONER. Which he has evidently forgotten——

MR. HALE. Oh, no.

MR. SPOONER. The Senator will find the Interstate Commerce Commissioners are rather *sui generis*. Of course they are "projected onto the Administration" just as every other bureau that has ever been created was "projected onto the Administration."

MR. HALE. No doubt it is the natural habit of all officials to amplify their jurisdiction, as it is the habit of judges to amplify theirs. I have no doubt that these Commissioners naturally would like to enlarge their jurisdiction, and they perhaps have attempted it, but the courts have sat down upon them very conclusively, and have determined that they had no power to promulgate legal decisions.

MR. SPOONER. But they do make decisions, and they are entitled to apply to the courts for injunctions in certain cases, and the courts compel the attendance of witnesses.

MR. HALE. Every officer of the Government can do that.

MR. SPOONER. But every officer can not compel the attendance of witnesses.

MR. HALE. But officers may apply to the courts.

MR. SPOONER. That is a little different. That distinguishes them from *quasi courts*.

MR. HALE. Committees of Congress do that.

MR. SPOONER. Oh, Yes; when they are within their jurisdiction.

MR. HALE. Those are not considered great judicial powers.

MR. SPOONER. I did not say anything about "great judicial powers." Whether they "enjoy" quasi-judicial powers I do not undertake to say, but they have quasi-judicial functions.

MR. HALE. But what infects me with a kind of skepticism about all this is the entire ease with which Senators, as to a particular body in the Government, a bureau or a department, find that it ought to be put under one head, and the same Senators upon other matters, other bureaus, other departments, and other organizations, think they ought not to be put under one head.

I do not see, if you take the Fish Commission—purely an independent body, with no relation whatever to the Department of Commerce, which was started as a bureau of the Smithsonian Institution under Professor Baird, purely scientific, and for the purpose of developing the fish product—I do not see why that should be put into the Department of Commerce; and that the Interstate Commerce Commission, which deals with commerce and with questions arising out of commerce, should not be put into it. I can not work my mind in that way. I have not got that facility which the Senator from Wisconsin has.

Mr. SPOONER. That is evident. [Laughter.]

Mr. HALE. Yes, it is evident to me; and it is a matter of some repining on my part that I can not work my mind in that way—first this way and then that—with reference to different bureaus and different departments of the Government.

Mr. SPOONER. I should be very sorry for the Senator—

Mr. HOAR. I want to ask a question, with the permission of the Senator. I will put it in that form, as that is the only right I have to interrupt him. I merely want to make a suggestion.

It seems to me that the Interstate Commission is practically a judicial body. It is true its members are removable by the President, just as Territorial judges are removable by the President. But it promulgates decisions on the hearing of evidence and argument, and that is its chief business, which, when promulgated, become the general rule governing the conduct of great transactions in all like cases; and its function, operation, quality, and character are judicial. It settles judicially not the case between two individual parties, but the general rule of conduct which governs great corporations in the great sphere of human transactions for all men when those questions come before the Commission for decision.

Mr. SPOONER. Mr. President—

Mr. MONEY. Will the Senator from Wisconsin permit me a moment?

Mr. SPOONER. Certainly.

Mr. MONEY. Mr. President, it may be a little rash for me to arise in the presence of the very learned chairman of the Judiciary Committee [Mr. Hoar], but I do not consider anybody a court whose judgments are not final and can not be enforced. The Interstate Commerce Commission renders no final judgments.

The rules of commerce, which the Senator says are a kind of decision, are not like the decisions of a court of law. It is simply a quasi judicial body, as the Senator from Wisconsin [Mr. Spooner] says, which can determine the application of the interstate-commerce law to the conduct of railroad corporations. When the Commission gives an opinion it gives a finding of fact; but if you want a remedy, you must go to another body, you must go to a court. But no body, however judicial its functions may be, is a court unless its judgments are final or appealable to some court whose judgment is final.

Mr. HOAR. Is that not merely a technical statement? I am speaking of the practical results.

Mr. MONEY. I mean that.

Mr. HOAR. It is true that these Commissioners, just as the railroad commissioners in some States, have to go to court if their decision is disputed, but their judgment is adopted in practice as that of a court. These men declare the general law which prevails in all such cases. Their whole conduct, the mode of hearing evidence and arguments and sitting impartially, is that of a judicial tribunal, although it is true, as the Senator says, that, if disputed, their decisions have to be enforced by a court. It is, however, none the less a fact that their function is a judicial function, and that the result is a judicial result.

Mr. MONEY. I do not like to trespass upon the Senator from Wisconsin; but as his time is unlimited, I hope he will allow me to say that I know whereof I speak regarding the Interstate Commerce Commission, because I have had experience in a case in which I myself appeared before the Commission. They made a finding that was absolutely disregarded and has never yet been enforced because the parties to the case were not willing or able to carry it to a court where they could get a judgment that could be enforced. Practically it is not a court.

The PRESIDENT pro tempore. Has the Senator from Wisconsin yielded the floor?

Mr. SPOONER. I do not know. Have I, Mr. President? [Laughter.]

Mr. MONEY. I interrupted the Senator by permission, as I understood.

The PRESIDENT pro tempore. The Senator from Wisconsin [Mr. Spooner] is entitled to the floor.

Mr. SPOONER. Mr. President, I remember, I think, that when I sat down my mind was agitated over the mental condition of the Senator from Maine [Mr. Hale], who seemed to think that I must be in favor of putting all the departments into this bill or opposed to putting any of them into this bill.

Mr. HALE. Or bureaus.

Mr. SPOONER. Or bureaus. In other words, the Senator seems to be unable to understand how, with any degree of mental soundness, I could be in favor of incorporating or transferring to this Department of Commerce some bureaus, and not others.

Mr. HALE. I think I put it differently from that.

Mr. SPOONER. Now, Mr. President—

Mr. HALE. I think I said that I could not understand how it was that the Senator was in favor of putting a bureau which has nothing to do with commerce into this new Department and against putting into it a bureau or an organization which has nothing to do except as to commerce. That was my trouble of mind. There is where I lacked the alertness to keep up with the Senator, and there is where he should commiserate me.

Mr. SPOONER. I commiserate the Senator generally, and I commiserate myself because I do not agree with the Senator. [Laughter.]

I was giving reasons to show why, although the Interstate Commission has to do with commerce, I thought it ought to be an independent commission, and that it was intended to be so. I have not the time to take up the interstate-commerce law, but I will undertake to show the Senator that there is a very wide distinction, which I think even he will concede, between the Interstate Commerce Commission, so far as this question is concerned, and the Fish Commission, which the Senator interjected into my remarks.

Mr. PLATT, of Connecticut. May I make an inquiry?

Mr. SPOONER. Certainly; everybody may make an inquiry.

Mr. PLATT, of Connecticut. What does the Senator think would be the effect on the efficiency of the Interstate Commerce Commission if it should be transferred from its present somewhat independent position?

Mr. SPOONER. I think the tendency would be to destroy it.

Mr. PLATT, of Connecticut. I think so, too.

Mr. SPOONER. I think that is the object. No; I will not say that; but I think it would have that effect.

Mr. President, I think the Department of Labor either ought to be transferred to the proposed Department of Commerce or I think the bill ought to be very carefully amended or considerably changed, one or the other.

The Bureau of Statistics is made by this bill to perform this function:

It shall be the province and duty of said Bureau, under the direction of the Secretary, to foster, promote, and develop the various manufacturing industries of the United States, and markets for the same at home and abroad—domestic and foreign.

That looks like a repetition.

Mr. HALE. From what is the Senator reading?

Mr. SPOONER. I am reading from section 5 of the bill.

Mr. HALE. Is that a department or a bureau?

Mr. SPOONER. The bill reads:

It shall be the province and duty of said Bureau.

I shall read from the beginning of the section.

That there shall be in the Department of Commerce a bureau to be called a Bureau of Manufactures, and a chief of said Bureau, who shall be appointed by the President, by and with the advice and consent of the Senate—

Mr. HALE. That is the one.

Mr. SPOONER. My argument reaches substantially that.

It shall be the province and duty of said Bureau, under the direction of the Secretary, to foster, promote, and develop the various manufacturing industries of the United States, and markets for the same at home and abroad, domestic and foreign, by gathering, compiling, publishing, and supplying all available and useful information concerning such industries and such markets, and by such other methods and means as may be prescribed by the Secretary or provided by law.

That makes it the duty of this Bureau, under the direction of the Secretary, to obtain statistics relating to our domestic commerce, to our foreign commerce, to the condition of our industries, and within the general scope which is here prescribed.

This was one reason why I thought the amendment of my colleague [Mr. Quarles] ought to be adopted, to prevent the duplication of the gathering of statistics, or, rather, the gathering of duplicate statistics, at great cost.

The Bureau of Statistics is transferred with the same duties. Its chief shall—

under the direction of the Secretary of the Treasury, annually prepare a report on the statistics of commerce and navigation of the United States with foreign countries to the close of the fiscal year.

The Senator from Iowa [Mr. Allison] read this yesterday:

The Chief of the Bureau of Statistics shall prepare an annual statement of all merchandise passing in transit through the United States to foreign countries, each description of merchandise, so far as practicable, warehoused, withdrawn from warehouse for consumption, for exportation, for transportation to other districts, and remaining in the warehouse at the end of each fiscal year.

Then the law provides that—

The Chief of the Bureau of Statistics shall collect, digest, and arrange, for the use of Congress, the statistics of the manufactures of the United States, their localities, sources of raw material, markets, exchanges with the producing regions of the country, transportation of products, wages, and such other conditions as are found to affect their prosperity.

It could not well be made any broader.

Now, when you turn to the duty of the Commissioner or head of the Department of Labor, you find that he is required by law to do this! It is proposed to keep it an independent department, charged by law with the same duties and functions now imposed upon it under the supervision of no Cabinet officer. In view of what I have read as to other statistical bureaus, I ask the Senate for a moment to listen to this:

That the Commissioner of Labor, in accordance with the general design and duties referred to in section 1 of this act—

Which are very large, being to—

acquire and diffuse among the people of the United States useful information on subjects connected with labor, in the most general and comprehensive sense of that word, and especially upon its relation to capital, the hours of labor, the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity.

Now, here are his duties:

To ascertain, at as early a date as possible, and whenever industrial changes shall make it essential, the cost of producing articles at the time dutiable in the United States, in leading countries where such articles are produced, by fully specified units of production, and under a classification showing the different elements of cost, or approximate cost, of such articles of production, including the wages paid in such industries per day, week, month, or year, or by the piece; and hours employed per day; and the profits of the manufacturers and producers of such articles; and the comparative cost of living, and the kind of living.

More specific, but covered by the general language, is it not, of the other provision:

"It shall be the duty of the Commissioner also to ascertain and report as to the effect of the customs laws, and the effect thereon of the state of the currency, in the United States, on the agricultural industry, especially as to its effect on mortgage indebtedness of farmers;" and what articles are controlled by trusts or other combinations of capital, business operations, or labor, and what effect said trusts or other combinations of capital, business operations, or labor have on production and prices. He shall also establish a system of reports, by which, at intervals of not less than two years, he can report the general condition, so far as production is concerned, of the leading industries of the country.

And he does. Now, as we are going along, that should be changed so as to avoid a large duplication, at great expense, of the statistics, or it should be transferred to the Department of Commerce, with authority in the Cabinet officer at the head of that Department so to redistribute between the two bureaus, as was proposed by the amendment of my colleague [Mr. Quarles] the duties as to gathering the statistics as to prevent duplication.

As the law stands now you have the Geological Survey, at great expense—as was stated by the Senator from Iowa [Mr. Allison] the other day, and it is true—procuring statistics as to mining, and you find the same duty imposed upon this Department. While I am in favor of the bill and believe in the creation of this new Department, I think what particularly ought to engage the attention of the Senate now, if these various departments and bureaus are to be withheld from this Department, where power is to be lodged to supervise and redistribute, so far as the gathering of statistics is concerned, is that some provision by amendment to this bill should be made which would prevent this duplication.

Mr. BACON. Will the Senator from Wisconsin permit me for a moment?

Mr. SPOONER. Certainly.

Mr. BACON. What does the Senator say with reference to section 8 of the law, which directs the Commissioner to make reports to the President and to Congress, and also to make reports on particular subjects when called on either by the President or by either House of Congress.

Mr. SPOONER. From what law does the Senator read?

Mr. BACON. The law creating the Department of Labor, which the Senator has been discussing. I think he has it before him. He read the seventh section.

Mr. SPOONER. Does the Senator mean the Department of Labor act?

Mr. BACON. Yes, sir. The Senator read the seventh section and said there ought to be an amendment.

Mr. SPOONER. I was dealing with the duties to show that they involved a duplication of statistics.

Mr. BACON. I understand that, and I call the Senator's attention to the fact that the present law requires the Commissioner of Labor to make reports to the President and to Congress, and also when called upon by either the President or either House

of Congress to make reports on particular subjects, and also to make to Congress an annual report as to the money expended. There is no provision in this bill as to whether or not these provisions shall remain in force. The question I desire to ask the learned Senator is whether in his view, if the Department of Labor is made a division of the Department of Commerce, the law should be changed in that regard, or whether it is the idea of the Senator that the duty of reporting directly to Congress is taken away from this Department?

Mr. SPOONER. I am not certain that the Senator from Georgia is right that there is no such provision in this bill.

Mr. BACON. Well, possibly not.

Mr. SPOONER. It says:

And provided further—

Mr. BACON. It is not in that particular provision, but there may be some general provision.

Mr. SPOONER. It says:

And provided further, That all laws prescribing the work and defining the duties of the several bureaus, offices, departments—

That is drawn with reference to the inclusion of the Department of Labor.

or branches of the public service by this act transferred to and made a part of the Department of Commerce shall, so far as the same are not in conflict with the provisions of this act, remain in full force and effect until otherwise provided by law.

I suppose under that it would be the duty of the head of the Department of Labor to transmit to Congress through the Secretary of Commerce the reports required by law.

Mr. BACON. Is it your idea that under the bill as now drawn, if it shall be enacted into law, these provisions would still be in force, and that the Commissioner would simply send his report through the head of the Department rather than direct to Congress?

Mr. SPOONER. That is my understanding.

Mr. BACON. There is no bureau or department of Government—not one—which is a subordinate division of an executive department that reports to Congress.

Mr. SPOONER. I understand that, but this Bureau is transferred by the present bill with this provision:

That all officers, clerks, and employees now employed in any of the bureaus, offices, departments, or branches of the public service in this act transferred to the Department of Commerce are each and all hereby transferred to said Department at their present grades and salaries, except where otherwise provided in this act.

Then follows the provision which makes them all subject to discharge the duties now imposed by law, except where qualified by this act. I discover nothing in this proposed act which repeals the law which imposes that plain duty upon the head of the Department of Labor, and I assumed in looking it over that it remains. I think perhaps it would be considered to be modified in this respect, under the rule which has always prevailed, that if either House of Congress desired special information from that Department it would direct the Secretary of Commerce to afford it.

Mr. BACON. What would we do if the Secretary of Commerce declined?

Mr. SPOONER. What would we do if the head of the Bureau of Labor should decline?

Mr. BACON. I think we would deal with him.

Mr. SPOONER. How would you deal with him?

Mr. BACON. Well, if I had the votes of the Senate in my control I would deal with him very peremptorily.

Mr. SPOONER. How?

Mr. BACON. In the first place, I would not pay him any salary. That would be one way to deal with him.

Mr. SPOONER. Could you not deal with the Secretary in the same way?

Mr. BACON. Certainly. I merely asked the Senator as a sort of side issue.

Mr. SPOONER. I have said all I care to say.

Mr. McCUMBER. Mr. President, I have been listening to this debate with the hope of obtaining information as to some particular function, some power that was lodged in this new Commerce Department, whereby it could become necessary to attach to it certain of the other bureaus, and without which it would not have its power of action. Taking away from this bill certain statistical bureaus seemed to disturb the Senator from Wisconsin to a great extent, and he asked the pertinent question, What will there be left for the Department of Commerce if we take away each and all of these bureaus? Now, I might ask him, How do these bureaus assist him in any way

simply by becoming a portion of this particular Department? What power, what control, what authority has the new Secretary of Commerce over any of these bureaus which are to be placed under him and subordinate to that particular Department? I can not see that he has any such power.

To be sure, the bill says that the Secretary is to foster and develop and promote our commerce; but how is he to do it? He is to do it simply by gathering statistics and reporting them. What is there to prevent his gathering those statistics from each of these separate bureaus where they are now located as well as though they were made part and parcel of his particular Department? What is this Department, anyway, but a mere statistical body? What does it create? What does it promote? What does it control? Not even the commerce. It has no influence over it in any way except as it may report the statistics, and as an advisory arm of the Government. It controls nothing; it governs nothing. It simply reports, and that being the case, it seems to me it is nothing more than a mere statistical bureau.

We can not say the same of the other departments. The Treasury Department controls; it governs the matters that are particularly pertinent to it. The Interior Department has general control over interior affairs. The Indian Department is made a part of it and acts under its power and authority. It is one of the particular arms through which it carries out its power and assists it in performing its particular functions. That is not true, however, of this Department.

Now, what rule should govern in determining what particular bureaus should come under and be made subordinate to the Department of Commerce? Certainly we must say it must be something that is pertinent. I can not see any more reason for taking under this particular jurisdiction the Bureau of Labor than there would be for taking under it the whole Department of Agriculture. We can not have any commerce without our having agricultural exports.

Every one of those things has a certain connection with some other matter, and they are important connections; and if we are to determine it simply by the rule that there should go under and be subordinate to this new Department everything which has any connection whatever with commerce, then we have to bring the whole thing under it, because there is no one of our industries which has not its regular connections with other industries and is affected by them, and therefore the Department of Commerce might be said to overlook and control and govern, and they all should be brought under its particular wing.

It seems to me there are certain things which are pertinent, some things immediately connected with it, which it might be proper for it to have under its sole control as an advisory board; but if you take the Department of Labor, the Department of the Census, or any of these other subordinate bureaus and place them under the Department of Commerce you will simply have bureaus with only the remotest connection with commerce, and after all you have them under a secretary whose whole force can do nothing but give statistics, and he can get his statistics just as well from the Census Bureau, which furnishes four-fifths of all of the data, the raw material out of which these statistics are compiled, as to take a certain portion of the records and a certain proportion of the clerical force of that Department force and detach them from their original Department and place them in another one to which they do not belong.

The Census Department is continually getting the raw material out of which the greater portion of these statistics must come. This new Department must get all its information from the several bureaus of the Government, and I am perfectly willing to admit that I can not see, contrary to the idea of the Senator from Wisconsin, that any injury whatever would be done to the Department of Commerce if every one of these bureaus were taken away from it and it got its data from them, as they are attached to the proper arms of the particular department to which they naturally belong.

I think I have said all I desire on this subject, and I confess I can not see why a department purely statistical in its character should necessarily take under its particular wing all the other bureaus which furnish the raw material, and if I agreed that it must do that, then I certainly would not know where to draw the line between what should be left out and what should be taken in.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. CLAY. Will the Senator from Illinois withdraw his motion for a moment, not exceeding two?

Mr. CULLOM. Certainly.

The PRESIDING OFFICER (Mr. Perkins in the chair). The motion is withdrawn.

Mr. CLAY. Mr. President, I am unwilling to be entirely silent and have it intimated that any member of the minority of the Commerce Committee desired in any

way to antagonize the interests of the labor organizations of this country. I have been in public life a long while, and never in my life have I cast a vote or made a speech antagonistic to their interests, and I do not believe a single member of the Commerce Committee desired in any way to antagonize their interests in making a favorable report on this bill. In considering this bill before the Committee on Commerce there was never an intimation that a single labor organization in this country was against a favorable report, or against the very feature of the bill which we have been discussing.

The first time I ever heard at any time that the labor organizations in any way opposed this change was from the President of the Senate no longer ago than yesterday. I desire to state that, on the contrary, the committee in considering this matter were informed and believed that the Labor Department and the labor organizations were really in favor of this change. It was not the purpose of that committee in any way to antagonize that interest. We simply thought that the Labor Department would be as efficiently administered under the new Department as it had been administered in the past. We simply thought that by reason of the transfer the Labor Department would aid the Commerce Department in the discharge of its duties.

We thought likewise in regard to the Census Department. We did not desire to destroy or impair in any way the efficiency of those departments. We simply desired to take those departments and transfer them to the new Department to aid the new Department in carrying out its duties, without in any wise affecting the efficiency of the departments which were to be transferred. No one can say that I have at any time ever antagonized the interests of the labor organizations of our country.

The further discussion was taken up in the Senate on January 27, 1902.

Mr. NELSON. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 569) to establish the Department of Commerce.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Alabama [Mr. Pettus].

Mr. NELSON. I have here a communication from the secretary and treasurer of the Knights of Labor bearing upon the question of this amendment, which I should like to have read by the Secretary.

The PRESIDENT pro tempore. If there be no objection, the communication will be read. The Secretary will read as requested.

The Secretary read as follows:

OFFICE OF GENERAL ASSEMBLY,
ORDER OF KNIGHTS OF LABOR,
Washington, D. C., January 24, 1902.

Hon. KNUTE NELSON,
United States Senate.

DEAR SIR: I have read carefully the discussion going on in the Senate for and against including the Department of Labor in your bill for the establishment of a Department of Commerce, and send you herein a few facts bearing upon the matter from the standpoint of the Knights of Labor.

Very truly, yours,

JNO. W. HAYES,
General Secretary-Treasurer.

To the United States Senate.

GENTLEMEN: The opposition to the Labor Department being included in the proposed Department of Commerce is confined to a few labor men who probably have "axes to grind" with the present organization of the department. The great mass of organized labor will be glad to see it included in the new Department, so that there may be a competent and responsible head to direct its work. This is the more necessary from the point of view of organized labor, because from the very beginning the department has been conducted as a personal asset of the Commissioner. It has been of little consequence or value to those whom it was organized to aid, and more than one-half of its reports are false and misleading.

A Department of Labor with a Secretary of Labor entitled to a seat in the President's Cabinet would be very acceptable to the working men of the country, but the realization of such a thing is so far remote that it is not worthy of attention. There is nothing in the present nor in the near future to warrant even the hope that Congress will establish an executive department for the exclusive benefit of the workingman.

I look upon the proposed Department of Commerce as a decided step forward in the interests of the workingman. Anything that will promote the interests of our industries and help to increase the

sale of American products will be a benefit to the workmen who help to make and transport those products, and any measure that will tend to bring the Labor Department nearer to a Cabinet position, where the interests of the workmen and women can be directly considered and acted upon with as much freedom and with as much right to demand a hearing as the interests of the commercial and manufacturing institutions of the country, will receive the unqualified approval and indorsement of the masses of workmen, whether organized or not.

It is the manifest purpose of the proposed Department of Commerce to bring together under one responsible head all the bureaus in other departments which have any relation or connection with the commercial and manufacturing interests of the country.

It has been said that the Labor Department has no connection with these interests; that it is an educational and scientific bureau, etc. This sounds well, but I venture to say that the honorable gentlemen who hold these views are not very well acquainted with the means that are employed by the clerks and agents in collecting and compiling the statistics sent out by the Labor Department.

The Labor Department has, or ought to have, as much relation to the manufacturing and commercial interests as any other branch of the Government service. It was created at the request of organized labor for the express purpose of looking after the interests of labor, as will be shown further on.

Will anyone deny that matters which either impede or improve the progress and welfare of our manufacturing and commercial interests do not have a corresponding effect upon the workmen and women employed by those great interests? Will anyone take the position that the interests of the manufacturer and workman, who stand in the relation of employer and employee, should not be considered jointly in matters affecting the welfare of both, and which, from the very nature of things, must be acted upon and determined by the head of the new Department? And, furthermore, is it not obvious that the interests of both can be better served and promoted by having a responsible representative in the Cabinet, whose sworn duty it will be to look after the welfare and act honorably and impartially toward both?

For the purpose of correcting several errors that appeared during the debate on Senate bill 569, providing for a Department of Commerce, while the bill was under discussion in the Senate, as well as to place the Labor Department in its proper position before the country, a position which it has earned by catering to all the "isms" advanced and suggested by a host of theorists and neocommunist labor reformers, I submit herewith a brief outline of the facts relating to the establishment of the Labor Department.

The enactment of the law providing for the Labor Department was the result of special agitation and work on the part of the order of the Knights of Labor and its officers. Early in the year 1886 Mr. T. V. Powderly, who was then the general master workman, and John W. Hayes, who was the secretary of the general executive board, had a conference with President Cleveland to secure his cooperation in extending the usefulness of the Bureau of Labor; to require the Commissioner to make a thorough investigation into the cause and trouble that resulted in the Southwest strike on the Gould system of railways, which strike was in progress at that time. At that conference the question of establishing a Cabinet department known as the Department of Labor was fully and freely discussed, together with the objects which we had hoped to accomplish by our visit, the sending of a special message to Congress that an arbitration department be created and connected with the Bureau of Labor. On April 22, 1886, President Cleveland sent the message to Congress in line with our suggestions.

The following year Mr. Powderly, the general master workman of the order of the Knights of Labor, in his report to the general assembly, recommended the enactment of a law establishing a Department of Labor. The report will be found on page 1532, Proceedings of the General Assembly, 1887, and is as follows:

"I believe the day has come for united labor to ask at the hands of Congress the passage of a law creating a Department of Labor at the seat of the National Government. I would respectfully ask of the committee on legislation to prepare a bill and introduce it to the Congress at the next session. We have to-day a Department of War; we do not need it at all in comparison to a Department of Labor. The Navy Department is not such an important one, for we do not require the use of a very extensive National Navy. The prosperity of the whole country rests on the broad shoulders of labor, and there is nothing now so prominently before the nation and the world as the question of labor. Nearly every action taken now by the Executive or his Cabinet deals in one way or another with the questions of labor; its ramifications extend everywhere, its power is felt everywhere, and its usefulness is now recognized everywhere. All this being true, it is no more than just that the President should have, as a member of his Cabinet, a man who represents more than war, more than a few vessels, more than a sentiment, more than a class. Labor can not be called a class, for it is everywhere. To have a man in his Cabinet with whom to consult on the questions of labor, the President would be in a better position to deal with the questions of capital. Labor to-day is entitled to far more at the seat of government than a mere bureau, but it will not receive any more unless it asks for it. I recommend that it ask for the establishment of a Department of Labor."

This recommendation was referred to the committee on legislation who, after considering the matter, reported—page 1776, Proceedings of the General Assembly, 1887—as follows:

"In order to concentrate our efforts we recommend that the following national measure be made the object of our especial endeavor during the existence of the Fiftieth Congress:

"A Department of Labor, the head of which shall be a member of the Cabinet, said Department to have a division or bureau for each distinct form of industry, such as agriculture, mining, manufactures, etc., and its powers for the investigation of the condition of labor, and for the promotion of its welfare, to be as extensive as the most liberal construction of the Constitution will allow."

This proposition having been passed by the general assembly in general convention, was referred to the committee on legislation, who were stationed at Washington. This committee took the matter in hand, prepared the necessary bill, had it introduced in Congress, and were successful in creating the present Department of Labor. Their report, which will be found on page 2, legislative report, Proceedings of the General Assembly, 1888, is as follows:

"Among the measures that were intrusted to our care by the general assembly at its session in Minneapolis, 1887, we have to report the following in relation thereto:

"DEPARTMENT OF LABOR.

"The bill to create a Department of Labor was introduced in the House from the Committee on Labor by Representative John J. O'Neill, chairman of that committee, on March 15. It passed the House on April 18; was by the Senate referred to the Committee on Education and Labor, and reported back by the chairman of that committee, Senator Blair, and passed the Senate with certain amendments on May 22. Conferees were appointed to meet those appointed from the House on the amend-

ments offered by the Senate. The Senate and House conferees met on May 31, and agreed upon the amendments."

A reading of the law shows that it is the duty of the Commissioner—
 "To acquire and diffuse among the people of the United States useful information upon subjects connected with labor in the most general and comprehensive sense of the word, and especially upon its relation to capital, the hours of labor, the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity."

Section 7 sets out in detail just what the duties of the Commissioner shall be in properly carrying out the aims and objects of the law. It does not provide that statistical information bearing upon the questions of labor shall be guessed at and written up by agents who are miles away from the manufacturing institutions which they are supposed to have visited and collected the information from. It does not provide for the collection of statistics bearing on the number of divorces granted in the United States. It does not provide for the collection of data bearing upon the question of wages, prices, etc., which can be changed and compiled to suit the political party in power at the time. It does not provide that special statistics be collected and compiled to favor a particular political party, and circulated previous to an election. In other words, it does not provide that the Department should be a Democratic Department when the Democrats are in power, and a Republican Department when the Republicans are in power; nor does it provide that the Department shall be run as an experimental station to exploit the theories and fancies of a lot of deluded so-called economists, statisticians, and labor saviors.

It provides that honest and reliable information shall be collected, compiled, and published in the interest of the people. We have no hesitation in saying that this has not been the case regarding all of the statistical information so far collected and published by this Department.

It is doubtful if we will ever be honored with a department of labor whose secretary will comprise one of the President's Cabinet. The interests of labor need a spokesman in the President's Cabinet, and some recognition at the hands of the President. It can not get this recognition nor be represented in the Cabinet unless we accept the proposition submitted by the honorable Senator, Mr. Nelson, and place the Labor Bureau, for that is all it amounts to, under the jurisdiction and control of the Department of Commerce. This will make it incumbent upon the Secretary to be ever watchful of the interests of all branches and bureaus of his department. It will enable the workers to bring all matters bearing upon the interests of labor to the attention of the President and his Cabinet, and give us an advocate and representative at all sessions. In the event of great labor disturbances throughout the country we will have a secretary with authority to use his great office in the interest of a proper adjustment of said disturbances. It will force and compel the consideration by the Cabinet of all such disturbances, and we can look forward to a more speedy and just settlement of such affairs.

Compare a department with authority to act and to whom the people of the entire country would look and expect an honest and just opinion with the miserable apology or makeshift offered us through the present Department of Labor, without authority to recommend, with simply the power to investigate and report, with the privilege accorded its representative to sit in the anteroom while the Cabinet officers are discussing matters in which labor is interested, with that of a secretary who would have a right to sit and discuss all matters. Would it not bring us nearer to the idea sought to be accomplished when we started the agitation for a department of labor? Would it not give us, in a small way, of course, a Cabinet position for labor? Would it not at least place labor upon an equal footing with capital in so far as it would have a right to demand and insist upon a just consideration of its interests?

I trust that the members of Congress and the Senators of the United States will see this matter in the same light that we do, and will place the present Labor Bureau in the Department of Commerce, and later, when the opportunity is ripe for adding another member to the official family of the President, we may be able to have a secretary over a department of labor and industries.

JNO. W. HAYES, *General Secretary-Treasurer.*

Mr. NELSON. The pending question is on the amendment of the Senator from Alabama [Mr. Pettus] to strike out the Department of Labor from the bill.

The PRESIDING OFFICER (Mr. Platt, of Connecticut, in the chair). The amendment will be stated.

The SECRETARY. In section 4, page 3, lines 18 and 19, strike out the words "the Department of Labor."

The PRESIDING OFFICER. Is the Senate ready for the question?

Mr. JONES, of Arkansas. Mr. President, I have listened to some of the arguments which have just been presented to the Senate to show why the Labor Bureau should be put in this proposed new Department, but none of them satisfy my mind. I have in my hands a protest coming from large labor organizations against this action, and I will read it to the Senate. It is addressed to the Senate. It was handed to me, and perhaps should have been submitted at the time petitions and memorials were presented, but it may as well be done now.

WASHINGTON, D. C., January 22, 1902.

To the honorable the Senate of the United States:

As the representative of the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen, the Order of Railway Conductors, the Brotherhood of Railroad Trainmen, and the Order of Railroad Telegraphers, I earnestly but respectfully protest, on behalf of these organizations, against that part of the pending bill (S. 569) which proposes to place the Department of Labor under the Department of Commerce.

The Department of Labor was created in the general labor interests of the country upon the recommendation and influence of organized labor. The Department of Labor's usefulness has been steadily growing, and its benefits to the laboring classes are unquestioned. To subordinate this Department, as is proposed in this bill, might render it useless for the purposes for which it was created, because it would be subject to the domination of a Cabinet officer who might be selected at the instance of and in the interests of employers of labor rather than at the instance of and in the interest of the laboring people themselves.

It is the hope of the laboring people of this country that an independent Department of Labor having a Cabinet officer as its official head may be created. This element of our citizenship, comprising as it does the great majority of our population, is certainly worthy of such recognition, and that, too, by this Congress.

Respectfully submitted.

H. R. FULLER.

Mr. Fuller signs this memorial as the representative of the different organizations named.

Now, Mr. President, it seems to me it is a perfectly reasonable anticipation that in case this new Cabinet officer is selected it will be insisted that the Secretary shall be a man who is familiar with commerce—who is connected with great commercial enterprises—and he will necessarily be in sympathy with the employers of labor rather than with the laborers themselves.

Mr. WELLINGTON. Will the Senator permit a question?

Mr. JONES, of Arkansas. Certainly.

Mr. WELLINGTON. I observe that the memorial he has read is signed only by a person named Fuller.

Mr. JONES, of Arkansas. Yes.

Mr. WELLINGTON. There are a number of organizations named there, and they are powerful ones. It seems to me that if they intended to send to the Senate of the United States any communication it would be sent officially by them and signed by their officers. I question, as that document is signed, whether we can consider it as coming from the allied organizations which it pretends to represent.

Mr. JONES, of Arkansas. This gentleman, Mr. Fuller, has been in Washington as the representative of these labor organizations for a number of years. I know him personally. I have known him for a long while. I have never been present at one of these labor meetings, but I have no more doubt that he represents the labor organizations which are specified here than I have that the Senator from Maryland represents his State.

Mr. LODGE. I will say, if the Senator from Arkansas will permit me, that Mr. Fuller appeared before the Committee on Immigration the other day in connection with the proposed Chinese-exclusion act, and he presented formal credentials from all those organizations authorizing him to represent them in regard to legislation pending in Congress. I think there is no doubt of his authority at all.

Mr. JONES, of Arkansas. I am obliged to the Senator from Massachusetts. I know that Mr. Fuller has represented these labor organizations here for years. I know that he has presented the arguments in favor of legislation that these organizations have been interested in. He has conducted himself like a gentleman, and seems to me to be a clear-headed, strong man. He is himself a practical railroad man; he has been a workman on the railroads, and is connected with them, and is familiar with their affairs. He is a man of intelligence and integrity, and the suggestion of the Senator from Maryland that there is any doubt about his representing the people he claims to represent I think is entitled to no consideration and is unwarranted and not sustained.

Mr. WELLINGTON. Mr. President—

Mr. MONEY. Will the Senator from Arkansas allow me to ask him to whom he refers?

The PRESIDING OFFICER. To which Senator does the Senator from Arkansas yield?

Mr. JONES, of Arkansas. I yield to the Senator from Mississippi, and I will state to him that I refer to Mr. H. R. Fuller.

The PRESIDING OFFICER. Does the Senator from Arkansas yield also to the Senator from Maryland?

Mr. JONES, of Arkansas. Certainly.

Mr. WELLINGTON. I merely desire to say that the objection I found to the paper is, in my judgment, well founded upon its face. I do not think that it is proper for a single person to send to the United States Senate a communication pretending to represent a large body of organizations that have their official heads. If they desire to address the Senate upon any matter, it seems to me that the communication should be officially perfect, and that this paper is not upon its face. Of course I accept the explanation offered, but I do intend to say that I was warranted in finding fault with the communication as it was read.

Mr. JONES, of Arkansas. Mr. President, these labor organizations do not stay all the time in Washington. The men constituting these organizations have something else to do. They earn their bread by the sweat of their faces all the days of their lives, and they are busy at something else besides being here. But when they have an intelligent representative, a man who stays here to represent their interests, and who reports to them, I think he has a right to speak for them, and the Senate has a right to listen to what he says.

Mr. CULLOM. Will the Senator allow me to interrupt him?

Mr. JONES, of Arkansas. Certainly.

Mr. CULLOM. I merely desire to add that I myself, as chairman of the Committee on Interstate Commerce, know this gentleman, and heretofore he has been before our committee, I think at least twice. He always, I think, came to represent these organizations, and I never heard anyone raise a question as to the fact. I think he is a gentleman worthy of respect.

Mr. JONES, of Arkansas. I have known Mr. Fuller for some years. He has borne himself like a gentleman and has conducted himself like a man of sense and ability. He has rendered valuable services, to my certain knowledge, to the organizations he represents here, and I think he is entitled to the consideration and respect of every member of this body as well as of the people outside.

The argument presented by him that this new Department of Commerce is more likely to have at its head a man in sympathy with the employers of labor than of labor itself seems to me to be a strong reason why the Department of Labor should be allowed to remain as it has been all this time, and, with these organizations, I see no reason why it should be subordinated to any other. I do not believe that there is any good reason for the head of this Bureau being put in any other department. He can go ahead and do his work as he has done it in the past, with just as much credit as he has done it, and that is the best way, in my opinion, to benefit labor of all kinds, organized as well as unorganized, throughout the country.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Alabama [Mr. Pettus].

Mr. NELSON. Mr. President, I suggest the absence of a quorum.

Mr. Pettus rose.

Mr. NELSON. If the Senator from Alabama desires to speak, I will withdraw my suggestion.

Mr. BACON. It occurs to me that the Senator from Minnesota can not do that. He has suggested the absence of a quorum.

Mr. COCKRELL. The suggestion of a lack of a quorum necessitates the calling of the roll.

The PRESIDING OFFICER. The Chair thinks the rule requires that the roll shall be called. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names: Aldrich, Bacon, Bard, Berry, Beveridge, Blackburn, Burrows, Burton, Clark of Montana, Clark of Wyoming, Clay, Cockrell, Cullom, Dillingham, Dubois, Elkins, Fairbanks, Foster of Louisiana, Foster of Washington, Frye, Gamble, Hale, Hanna, Heitfeld, Jones of Arkansas, Kearns, Kittredge, Lodge, McLaurin of Mississippi, McLaurin of South Carolina, McMillan, Mallory, Martin, Money, Morgan, Nelson, Patterson, Pettus, Platt of Connecticut, Quay, Rawlins, Scott, Simmons, Simon, Spooner, Taliaferro, Teller, Turner, Vest, Wellington, and Wetmore.

Mr. SPOONER (when the name of Mr. Quarles was called). My colleague [Mr. Quarles] is absent from the Chamber because of illness.

The PRESIDING OFFICER. Upon the roll call 51 Senators have answered to their names. A quorum of the Senate is present.

On January 28, 1902, the bill was discussed in the Senate for the last time before going to the House.

Mr. NELSON. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 569) to establish the Department of Commerce, and that it be considered without the limitation of Rule VIII.

The PRESIDENT pro tempore. The Senator from Minnesota asks unanimous consent that the Senate proceed to the consideration of the bill known as the Department of Commerce bill and that the limitation of five minutes be removed. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Alabama [Mr. Pettus].

Mr. McLAURIN, of Mississippi. Let it be read.

The PRESIDENT pro tempore. The amendment will be read to the Senate.

The SECRETARY. In lines 18 and 19 on page 3, it is proposed to strike out the words "the Department of Labor and."

Mr. McLAURIN of Mississippi. Mr. President, I do not rise to make a speech on this bill, and I do not intend to do so, but before we vote on the pending amendment I wish to submit a suggestion that occurs to me.

Preparatory to doing that, I will state what I understand to be the proposition of the Senator from Alabama. As I understand the bill, it embraces the Department of Labor in the Department of Commerce and makes it a bureau, and it is the purpose of the amendment to strike this out. I further understand from the discussion of this question that there is now an independent Department of Labor. It has been argued here, especially by the junior Senator from Wisconsin [Mr. Quarles] and the

senior Senator from West Virginia [Mr. Elkins] that the purpose of putting the Department of Labor in the Department of Commerce is to give it dignity. In other words, to give dignity to labor, to lift it up. It occurs to me that if it be true that labor and commerce are to go hand in hand, side by side, if they are of equal dignity, there being a Department of Labor already established, which is, according to the statement of Senators, an independent department, responsible to no head and responsible to nobody except to the President, it might be well to make that an executive department and to provide for a secretary of labor and to put a bureau of commerce in the Department of Labor.

In the selection of the secretary of commerce or secretary of labor, as the case might be, if it were a secretary of commerce, the President would naturally have reference to some one engaged in commerce. He would have reference to capital instead of to labor. But if we have a department of labor instead of a department of commerce and put a bureau of commerce in the Department of Labor, then the President, in selecting the head of that Department, would have reference to some man who was engaged particularly in labor.

I desire to read a short extract from the speech of the Senator from West Virginia [Mr. Elkins]. He said:

I understand the Commissioner of Labor is responsible to nobody but the President. In the multifarious duties that rest upon the shoulders of the President he can not give these bureaus any attention whatever, and for this reason we believe that it is better to put them in the hands of a responsible Cabinet officer, notwithstanding the claim of the political complexion that might attach to the administration of the Labor Bureau.

The junior Senator from Wisconsin said, speaking of this side of the question:

They propose that labor should dwell in a tent on the outside. We propose to bring the labor interests right into the mansion alongside of commerce, alongside of capital, where they belong, that they may dwell there harmoniously together; that the Labor Bureau shall not be an orphan, entirely discredited and unaffiliated.

Now, if you are going to make the Labor Bureau something besides an orphan, it ought not to be subordinated to the Department of Commerce—that is, if we recognize labor as being of equal dignity to commerce. There is no more reason, as I said before, why the Labor Bureau should be put in the Department of Commerce than that a bureau of commerce should be put in the Department of Labor already established, and it seems to be the idea of the Senator from Wisconsin that the two are of equal dignity. Yet he wants to uplift and elevate and dignify labor by subordinating it to the Department of Commerce, or, rather, by subordinating it to commerce.

There is one other suggestion I wish to make, and that is in reference to what was said by the Senator from West Virginia. I quote from his language. He said:

I am glad that the Senator from Mississippi [Mr. Money] has taken into his particular charge the labor of the South. This is a new departure. It is gratifying that we find that Southern statesmen are beginning to love and care for labor in the South as well as in the North and all over the country.

I can not see that there has been anything said by any man from the South that would justify making this a sectional issue. There has been no time in the history of this country where any man sent to this body or the House of Representatives by the people of the South has not been a friend to labor. They have not only been a friend to labor here, but they have been friends to labor everywhere; labor first in this country, and afterwards they have taken the labor of all the countries into their friendship, but especially have they been a friend to the laborer in the United States.

Mr. NELSON. I hope that we will have a vote.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Alabama [Mr. Pettus].

Mr. PERRUS. Mr. President, I desire to add a few words to what has been said in reference to this matter.

It has been asserted by the junior Senator from Ohio [Mr. Hanna], and I believe by the senior Senator from West Virginia [Mr. Elkins], that the laboring men of this country did not desire the Department of Labor to remain in its present condition; that they were not opposed to this provision in this bill. Mr. President, I have no doubt that if this were a question of capital, of commerce, of mines and mining, or any such question, the opinion of these distinguished gentlemen would be entitled to all the weight possible, for those are matters with which they no doubt are perfectly familiar; but it seems to me that the opinions of the leaders of these organizations of labor are really entitled to more weight on a question of their individual preference than are the opinions of these two distinguished Senators.

Mr. President, labor is afraid of capital. I do not suppose that any Senator would have the hardihood to say that either of the Senators I have named has any fear of capital whatever. Their opinion on the subject of capital, if it were capital alone, would be entitled to the utmost weight; but as to giving the opinions of laboring men, I do not think they are entitled to as much weight as to those who have charge of such organizations.

The opinion of Mr. Hayes has been published in the Record, it having been read yesterday. That gentleman, whatever may be his character and distinction and connection with labor—and I am told his connection is with one particular organization alone, and that not of the largest—in his own statement has discredited his evidence.

If any man has met the absolute approval of the United States Senate, so far as it has been spoken here, it is the distinguished individual from Massachusetts who now occupies the position of Commissioner of the Department of Labor. No man in this Senate has spoken one single word to his discredit. All Senators who have spoken on this subject have given him the utmost credit for his diligent, faithful, and untiring work, and have stated that it has been of great profit to the country. Just see what Mr. Hayes says about the Commissioner of Labor. In the first place, he says that the Department of Labor has been a personal asset of the Commissioner. Then he adds:

It has been of little consequence or value to those whom it was organized to aid, and more than one-half of its reports are false and misleading.

A man who recklessly makes such a statement as that as to the work of so distinguished an officer, who has met the unqualified approval of the Senate, ought not to be credited in his statement on any other subject.

Mr. President, in offering this amendment I had no idea of politics in my head, and I am sorry that the discussion has taken so broad a range as it has. I hope the amendment will be adopted for the good of the country, and especially for the good of those who caused this Department of Labor to be organized in its independent state. It was once connected with an executive department, but Congress in its wisdom chose to remove it and make it an independent organization, subject to the orders of the executive authority of the President and the rule of Congress. Congress passed on it deliberately, and it has since been an independent organization. I think if we go no further in establishing a real executive Department of Labor, that we should at least leave this fragment independent for the benefit of those it was especially designed to aid.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Alabama [Mr. Pettus]. [Putting the question.] By sound the "noes" have it. [A pause.] The "noes" have it, and the amendment is rejected.

Mr. BACON. That amendment being rejected, I offer an amendment, to insert the words "and Labor" after the word "Commerce"—

Mr. PETTUS. Do I understand that the vote just taken has been taken as in Committee of the Whole?

The PRESIDENT pro tempore. It has been.

Mr. PETTUS. And that a vote by yeas and nays can be had in the Senate on this question?

The PRESIDENT pro tempore. No; if the proposed amendment had been adopted and the words had been stricken out, then a separate vote could have been had in the Senate.

Mr. PETTUS. Then, if not too late, I ask for a vote by yeas and nays on the amendment.

The PRESIDENT pro tempore. The Chair will entertain the request. The Senator from Alabama asks that the yeas and nays be ordered on the amendment offered by him.

The yeas and nays were ordered.

Mr. BACON. Let the amendment be read.

Mr. BATE. Can we not have the amendment read, Mr. President, before voting upon it?

The PRESIDENT pro tempore. The amendment simply proposes to strike from the bill the Department of Labor.

Mr. BACON. As I understand, those who are in favor of retaining the Department of Labor as an independent bureau will vote "yea."

The PRESIDENT pro tempore. They will.

The Secretary proceeded to call the roll.

Mr. PRITCHARD (when his name was called). I have a general pair with the Senator from South Carolina [Mr. McLaurin]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. HANSBROUGH. I have a general pair with the senior Senator from Virginia

[Mr. Daniel], but I take the liberty of transferring that pair to the senior Senator from Iowa [Mr. Allison] and will vote "nay."

Mr. DEPEW (after having voted in the negative). I have a general pair with the Senator from Louisiana [Mr. McEnery]. As he is not present, I withdraw my vote.

Mr. McLaurin, of Mississippi. My colleague [Mr. Money] is paired with the Senator from Iowa [Mr. Dolliver]. If present, my colleague would vote "yea."

Mr. DOLLIVER (after having voted in the negative). I have a pair with the senior Senator from Mississippi [Mr. Money], but having voted, I desire to withdraw my vote.

Mr. BATE. I desire to say that my colleague [Mr. Carmack] is paired with the Senator from Wisconsin [Mr. Spooner]. My colleague is necessarily absent this morning.

The result was announced—yeas 19, nays 38; as follows:

Yeas: Bacon, Bate, Berry, Blackburn; Clark, of Montana; Cockrell, Dubois, Gibson, Harris, Hawley, Heitfeld; Jones, of Arkansas; McLaurin, of Mississippi; Malory, Morgan, Pettus, Rawlins, Taliaferro, and Tillman.

Nays: Bard, Beveridge, Burnham, Burrows, Burton, Clay, Cullom, Deboe, Dillingham, Fairbanks, Foraker, Frye, Gallinger, Gamble, Hanna, Hansbrough, Hoar, Kean, Kittredge, Lodge, McComas, McMillan, Martin, Millard, Mitchell, Nelson, Penrose; Platt, of Connecticut; Platt, of New York; Proctor, Quarles, Quay, Scott, Simmons, Simon, Stewart, Vest, and Wellington.

Not voting: Aldrich, Allison, Bailey, Carmack, Clapp; Clark, of Wyoming; Culberson, Daniel, Depew, Dietrich, Dolliver, Elkins; Foster, of Louisiana; Foster, of Washington; Hale; Jones, of Nevada; Kearns, McCumber, McEnery; McLaurin, of South Carolina; Mason, Money, Patterson, Perkins, Pritchard, Spooner, Teller, Turner, Warren, and Wetmore.

So the amendment of Mr. Pettus was rejected.

Mr. BACON. Mr. President—

Mr. NELSON. I suggest to the Senator from Georgia that there is another amendment pending. Let us dispose of that before proceeding further.

Mr. BACON. If it is one that will lead to no debate, I have no objection.

Mr. NELSON. I do not think it will lead to any debate, but I do not know.

Mr. BACON. I will yield for that purpose; but I should like to get my amendment offered right in connection with the particular matter which has been pending, while Senators who are to vote upon it are still present.

Mr. NELSON. Very well.

Mr. BACON. I will offer the amendment, at any rate, and if the Senator shall then desire I will consent that it be passed over.

The PRESIDENT pro tempore. There is no amendment pending. There was one amendment printed and laid on the table.

Mr. BACON. If there is no amendment pending, I now offer an amendment, after the words "Department of Commerce," in line 4 of section 1, on page 1, to insert the words "and Labor," and also—I have not had the opportunity or the time to look through the entire bill—wherever the words "Department of Commerce" are found I ask that a similar amendment may be made, so that instead of "Department of Commerce" wherever it occurs in the bill it will read "the Department of Commerce and Labor."

Mr. NELSON. I will make one suggestion to the Senator from Georgia, and I think that will be better still. This bill was entitled originally "A bill to establish a Department of Commerce and Industry." I think it would be well to make the title "the Department of Commerce, Industry, and Labor." Will the Senator accept such an amendment?

Mr. GALLINGER. That title is too long.

Mr. BACON. I have no objection in the world to it, if it is not thought to be too cumbersome.

Mr. GALLINGER. It is very cumbersome.

Mr. LODGE. Undoubtedly.

Mr. NELSON. I have no objection to the amendment of the Senator from Georgia. I simply proposed the other as a suggestion to him.

Mr. HALE. I hope the Senator from Minnesota will not agree to add another word to the title. Our invariable practice has been to have a single descriptive word. Each head of a department is the secretary of the department of that single name. We have not gone into the cumbersome fashion that other people have in creating their departments. I hope the Senator in charge of the bill will modify it by adding the words "and Labor," so as to make it the Department of Commerce and Labor; that he will not go further and encumber it by adding "Industry."

Mr. NELSON. I will say to the Senator from Maine and the Senator from Georgia that I will agree to that, and will consent that these amendments be put into the bill.

Mr. HALE. While I am on the floor, Mr. President, I wish to withdraw the amendment I offered the other day, including the Interstate Commerce Commission and making it a part of this new Department.

Mr. BACON. If the Senator will pardon me a moment, do I understand that the amendments offered by me have been agreed to?

The PRESIDENT pro tempore. They have not been.

Mr. BACON. I think they should be first agreed to.

Mr. GALLINGER. They should be agreed to. There is no objection to them.

Mr. HALE. I thought they had been agreed to.

Mr. BACON. The Senator from Minnesota [Mr. Nelson] consented to them, but they have never been announced from the Chair as having been agreed to.

The PRESIDENT pro tempore. Will the Senator from Maine allow the Chair to put the question?

Mr. HALE. Certainly.

The PRESIDENT pro tempore. The question is on the amendments offered by the Senator from Georgia [Mr. Bacon], inserting in the bill after the words "Department of Commerce," wherever they occur, the words "and Labor."

The amendments were agreed to.

Mr. HALE. When, the other day, I offered the amendment to which I have referred, several Senators very earnestly indicated their acceptance of it and desired to vote for it; but I was very much impressed by the suggestions which came in answer to a question by the Senator from Connecticut [Mr. Platt] as to what would be the effect if the Interstate Commerce Commission were put into this new Department as a bureau, as I proposed. The answer was that it would probably destroy its usefulness. I should not want to do that; and, reflecting upon the matter since then, I think it would be unsafe to disturb that Commission.

I do not recognize the Commission as a judicial tribunal with the right to promulgate decisions as a court, and I have so said; but it deals undoubtedly with commerce, the interstate commerce of the country, and in a way its acts are cognate to the purposes of this bill. I should not, however, want to be a party to anything that would impair its real efficiency, because it is undoubtedly doing some good. Rather than incur the risk of doing that, Mr. President, I withdraw the amendment which I proposed.

Mr. CULLOM. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from Illinois?

Mr. HALE. Certainly.

Mr. CULLOM. I simply want to say that I expected to take part in this discussion if the amendment remained in the bill or if the Interstate Commerce Commission was attempted to be put upon the bill, as I feel very sure that it would practically destroy the usefulness of the Commission.

I want to say to the Senator that it was placed in connection with the Interior Department when the bill creating it became a law, but it was found by the Secretary of the Interior, as well as by the Commission and some of us in Congress, that it worked very badly. Judge Cooley, who was then chairman of the Commission, and the Secretary of the Interior agreed that the Commission should not remain in that Department, and it was taken out so as to give the Commission opportunity to exercise the functions placed in its hands without the embarrassment of the Interior Department as a political organization.

The Commission has been run upon the theory, and I think in fact, of being a nonpartisan body. While it is not a judicial body in a technical sense, it is performing in a way judicial acts; that is to say, it passes upon and determines questions, subject, of course, to the decisions of the courts, if the parties involved see proper to take an appeal. As one of the Supreme Court judges said, the Commission is a sort of a referee of the circuit courts of the United States. But I do not care to take up the time of the Senate on this subject, as the Senator from Maine has withdrawn the amendment.

Mr. HALE. It was such considerations as have been stated which have induced me to withdraw the amendment. I hope I shall never be in a condition where, if I find I am wrong in anything I have proposed, I am not willing to recede. I think I was wrong in offering the amendment, and I withdraw it.

Mr. CULLOM. The Senator is always desirous of doing right.

I wish to add a further word while I am upon the floor. I am very anxious that this bill shall pass and that the Department of Commerce shall be created. I think

it ought to have been done earlier, but if it is done now I think it will be a very important thing for the commerce of the nation.

Mr. LODGE. I should like to ask if the amendment on page 5, line 17, striking out the words "upon the request of the Secretary of Commerce" has been adopted?

Mr. NELSON. The Senator's amendments were all adopted.

The PRESIDENT pro tempore. The amendment referred to by the Senator from Massachusetts was adopted.

Mr. LODGE. I wish to suggest a further verbal amendment. In line 23, on page 5, section 5, after the word "compiled," I move to insert "such reports to be transmitted through the State Department."

Mr. NELSON. There is no objection to that amendment.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Massachusetts [Mr. Lodge].

The amendment was agreed to.

The bill was reported to the Senate as amended.

Mr. VEST. I simply want to make a parliamentary inquiry. I understand now that the status of this bill is that the Patent Office, the Coast and Geodetic Survey, and the Census Bureau are all taken out of it.

The PRESIDENT pro tempore. By votes of the Senate; that is true.

Mr. VEST. Are those all the bureaus that have been taken out of the bill?

Mr. NELSON. I think those are all—the Census Bureau, the Patent Office, and the Coast and Geodetic Survey.

Mr. VEST. Then, what are the bureaus which are left in the bill? Has the Geological Survey been taken out?

Mr. NELSON. Yes.

Mr. VEST. That makes four bureaus which have been taken out.

Mr. NELSON. Yes—the Patent Office, the Coast and Geodetic Survey, the Census Office, and the Geological Survey.

Mr. VEST. Now, how many bureaus are left in the bill?

Mr. NELSON. There are a great many left in the bill. There is the Life-Saving Service—Does the Senator want me to call his attention to them? I can not give them all from memory, but I will read them if the Senator desires.

Mr. VEST. That will be satisfactory.

Mr. NELSON. The bureaus left in the bill are the Life-Saving Service, the Light-House Board, the Light-House Service, the Marine-Hospital Service, the Steamboat-Inspection Service, the Bureau of Navigation, the United States Shipping Commissioners, the Bureau of Immigration, the Bureau of Statistics of the Treasury Department, Bureau of Foreign Commerce in the State Department, and the Labor Department.

Mr. BACON. And the Fish Commission also?

Mr. NELSON. Yes; the Fish Commission.

Mr. VEST. The Senator from Wisconsin [Mr. Quarles] heretofore gave notice that he would move a reconsideration of the vote by which the Census Office was stricken out of the bill or that he would call for a separate vote in the Senate upon that amendment.

The PRESIDENT pro tempore. That is correct.

Mr. QUARLES. Mr. President, instead of prolonging the debate I propose to ask for a separate vote in the Senate upon the adoption of the amendment by which the Census Bureau was stricken out of this bill.

Mr. VEST. I so understood.

Mr. QUARLES. That will answer the Senator's inquiry. The amendment has already been sufficiently debated, I think.

The PRESIDENT pro tempore. The question is on concurring in the amendments made as in Committee of the Whole. Is there any request for a separate vote on any amendment other than that relating to the Census Office? The Chair hears none. The question is, Will the Senate concur in gross in the other amendments made as in Committee of the Whole? In the absence of objection, they are concurred in. The question now before the Senate is on concurring in the amendment adopted as in Committee of the Whole striking out the Census Office from the bill.

Mr. QUARLES. Upon that proposition I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLAY (when his name was called). I understand the question is on concurring in the amendment to strike out the Census Bureau from this bill.

The PRESIDENT pro tempore. That is the motion.

Mr. CLAY. I am against striking it out, and I vote "nay."

The roll call having been concluded, the result was announced—yeas 5, nays 52; as follows:

Yeas: Bate, Cockrell; McLaurin, of Mississippi; Pettus, and Quay.

Nays: Aldrich, Bacon, Bard, Blackburn, Burnham, Burrows, Burton, Clay, Cullom, Deboe, Dietrich, Dillingham, Dubois, Fairbanks, Foraker, Frye, Gallinger, Gamble, Gibson, Hanna, Hansbrough, Hawley, Heitfeld, Hoar; Jones, of Arkansas; Kean, Kittredge, Lodge, McComas, McMillan, Mallory, Martin, Mitchell, Nelson, Penrose, Perkins; Platt, of Connecticut; Platt, of New York; Pritchard, Proctor, Quarles, Rawlins, Scott, Simmons, Simon, Stewart, Taliaferro, Teller, Tillman, Vest, Wellington, and Wetmore.

Not voting: Allison, Bailey, Berry, Beveridge, Carmack, Clapp; Clark, of Montana; Clark, of Wyoming; Culberson, Daniel, Depew, Dolliver, Elkins; Foster, of Louisiana; Foster, of Washington; Hale, Harris; Jones, of Nevada; Kearns, McCumber, McEnery; McLaurin, of South Carolina; Mason, Millard, Money, Morgan, Patterson, Spooner, Turner, and Warren.

So the amendment was rejected.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read "A bill to establish the Department of Commerce and Labor."